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*** IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Judgment delivered on: 15.10.2019

+ RC.REV. 349/2015

PUSHPA

..... Petitioner

versus

GEETA

..... Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. S.D. Ansari, Adv. with petitioner in person.

For the Respondent: Mr. Dharm Vir Singh, Advocate with respondent in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 04.03.2015 whereby the Leave to defend application of the petitioner has been dismissed by the Rent Controller and an eviction order passed.

2. Respondent had filed the subject eviction petition seeking eviction of the petitioner on the ground of bonafide necessity under Section 14(1) (e) of Delhi Rent Control Act, 1958 from one room (measuring 10 ft. x 9 ft.) forming part of property bearing No. 4436, First Floor, Gali Chaudhary Nahar Singh, Pahari Dhiraj, Delhi-110

006, more particularly as shown in red colour in the site plan attached to the eviction petition.

3. Learned counsel for the petitioner under instructions from the petitioner, who is present in Court in person, seeks leave to withdraw the petition.

4. Petitioner who is present in Court in person, undertakes that she shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 31.12.2020. Petitioner further undertakes that she shall pay Rs. 2000/- per month as use and occupation charges till the time she hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 31.12.2020.

5. Petitioner further undertakes that she shall clear all water, electricity and other dues/charges in respect of the tenanted premises before she vacates the premises. He further undertakes that she shall not sublet, assign or part with the possession of the entire or any portion of the tenanted premises to any third party. She further undertakes that she shall not cause any damage to the tenanted premises and shall hand over the peaceful and vacant possession of the tenanted premises in the same condition as it exists today subject to normal wear and tear.

6. The undertaking is accepted.

7. Learned counsel for the respondent under instructions from the respondent submits that the undertaking is also acceptable to the respondent.

8. In view of the above, the petition is dismissed as withdrawn.

9. Subject to petitioner filing an affidavit of undertaking in the above terms within a period of two weeks from today, execution of the impugned order dated 04.03.2015 shall remain stayed till 31.12.2020.

10. Order *Dasti* under signatures of the Court Master.

OCTOBER 15, 2019

‘rs’

SANJEEV SACHDEVA, J