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

% Judgment delivered on: 27.09.2019
+ RC.REV. 387/2015
JAGDISH CHANDER Petitioner

versus

AMARJEET KAUR Respondent

Advocates who appeared in this case:

For the Petitioner: Mr.V.P.Katiyar, Advocate.

For the Respondent: Mr. Jatan Singh and Mr. Manoj Kumar, Advocates.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 27.05.2015, whereby, leave to defend application of the petitioner has been dismissed 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 the Delhi Rent Control Act, 1958, from Property No.159/113, Tri Nagar, Delhi, more particularly shown in green colour in the site plan annexed with the eviction petition.

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

4. Petitioner who is present in Court in person, undertakes that he shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 30.12.2020. Petitioner further undertakes that he shall pay Rs. 5000/- per month as use and occupation charges with effect from 01.10.2019 till the time he hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 30.12.2020.

5. Petitioner further undertakes that the petitioner shall clear all water, electricity and other dues/charges in respect of the tenanted premises before the petitioner vacates the premises. Petitioner further undertakes that the petitioner shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. Petitioner further undertakes that the petitioner shall not cause any damage to the property and shall hand over the peaceful vacant possession of the tenanted premises to the respondent in a condition as existing today, subject to normal wear and tear.

6. Learned Counsel for the Respondent submits that the undertaking is acceptable to the respondent.

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 In view of the above, the petition is dismissed as withdrawn.

8. On petitioner filing an affidavit of undertaking, within a period

of two weeks in the above terms, execution of the impugned order dated 27.05.2015 shall remain stayed till 30.12.2020.

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

SANJEEV SACHDEVA, J

SEPTEMBER 27, 2019/rk

