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

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Judgment delivered on: 19.11.2019

+ RC.REV. 445/2017

MOHD FURQAN & ORS

..... Petitioners

versus

RAISUDDIN

..... Respondent

Advocates who appeared in this case:

For the Petitioner:

Mr. S.K. Bhaduri and Mr.Prem Prakash, Advocates
with Petitioner Nos.1 and 3 in person.

For the Respondent:

Mr.Diwan Singh Chauhan, Adv..

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners impugn order dated 03.06.2017, whereby the Leave to defend application of the petitioners 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 with regard property i.e. One room, kitchen store at ground floor and one room at first floor (now converted into 2 rooms) kitchen with Common latrine

and bath forming part of Property bearing No.2432, Bazar Chitli Qabar, Jama Masjid, Delhi as shown in red colour in site plan annexed herewith more particularly as shown in red colour in the site plan attached to the eviction petition.

3. Learned counsel for the petitioners under instructions from the petitioners who are present in court seeks leave to withdraw the petition.

4. Petitioners who are present in Court in person, undertakes that they shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 31.03.2021. Petitioners further undertake that they shall pay use and occupation charges at the agreed rate of Rs. 4,000/- per month till the time he hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 31.03.2021.

5. Petitioners further undertake that they shall clear all water, electricity and other dues/charges in respect of the tenanted premises before they vacate the premises. They further undertake that they shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. They further undertake that they shall not cause any damage to the tenanted premises and shall hand over the possession of the same in the 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 petitioners filing affidavit of undertaking in the above terms within a period of two weeks from today, execution of the impugned order dated 03.06.2017 shall remain stayed till 31.03.2021.

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

NOVEMBER 19, 2019
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SANJEEV SACHDEVA, J.