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

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Judgment delivered on: 29.11.2019

+ RC.REV. 44/2016

RATTAN LAL

..... Petitioner

versus

OM WATI

..... Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. Sanjay Sehgal, Advocate with petitioner in person.

For the Respondent: Mr. Amit Sethi with Mr. Mukesh Ranjan, Advocates with respondent no. 1 in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 24.08.2015, whereby the leave to defend application of the petitioner was dismissed and an eviction order passed.

2. Subject eviction petition was filed by the respondent seeking eviction of the petitioner on the ground of bonafide necessity under Section 14(1) (e) of the Delhi Rent Control Act, 1958, from one shop bearing private No. 2, at Ground Floor having Municipal No. WZ-422, Churiwali Gali, Nangal Raya, New Delhi-46, more particularly

as shown in red colour in the site plan annexed with the eviction petition.

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

4. Learned counsel for the petitioner further submits that he has instructions from the petitioner to undertake on behalf of the petitioner that petitioner shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 30.06.2021. He further undertakes that Petitioner shall pay a sum of ₹ 3500/- per month as use and occupation charges to the respondent w.e.f. 01.12.2019 till the time petitioner hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 30.06.2021.

5. He further undertakes that petitioner shall clear all water, electricity and other dues/charges in respect of the tenanted premises before the petitioner vacates the premises on or before 30.06.2021.

6. He further undertakes that petitioner shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. He further undertakes that petitioners 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.

7. The undertaking is accepted.
8. Learned Counsel for the Respondents submits that the undertaking is acceptable to the respondents.
9. The Petition is accordingly dismissed as withdrawn.
10. Subject to petitioner filing an affidavit of undertaking in the above terms, within a period of two weeks, execution of the impugned order dated 24.08.2015 shall remain stayed till 30.06.2021.
11. Order *Dasti* under signatures of the Court Master.

NOVEMBER 29, 2019
'rs'

SANJEEV SACHDEVA, J