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

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Judgment delivered on: 18.02.2020

+ RC.REV. 1/2020 with CM APPL. 12/2020

SARWAN KUMAR

..... Petitioner

versus

SUBHAH CHAND GUPTA

..... Respondent

Advocates who appeared in this case:

For the Petitioner:

Mr. Vijay Kumar Ravi, Advocate with Mr. Rajeev Mehta, son of the petitioner.

For the Respondent:

Mr. Amit Jain, Advocate with respondent in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 21.08.2019, whereby the leave to defend application has been 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, in respect of Shop bearing Pvt. No. 2 in 10893, East Park Road, Manakpura, Karol Bagh, New Delhi – 110005.
3. Learned counsel for the petitioner, under instructions from the

petitioner, seeks leave to withdraw the petition.

4. Learned Counsel for the Petitioner under instructions from the Son of the petitioner, who is present in Court in person, undertakes that petitioner shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 30.06.2020. He further undertakes that Petitioner shall continue to pay a sum of ₹180/- per month as use and occupation charges to the respondent till the time he hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 30.06.2020. He further undertakes that that petitioner shall clear the arrears of rent at the rate of Rs.180/- for the last three years within four weeks.

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 30.06.2020. He further undertakes that Petitioner shall not sublet, assign or part with the possession of the tenanted premises or any part thereof.

6. He further undertakes that Petitioner shall not cause any damage to the property and shall hand over the peaceful vacant possession of the tenanted premises to the respondents in a condition as existing today, subject to normal wear and tear.

7. The undertaking is accepted.

8. Learned Counsel for the respondent submits that the

undertaking is acceptable to the respondents.

9. The Petition is accordingly dismissed as withdrawn. Pending application also stands disposed of.

10. Subject to petitioner filing an affidavit of undertaking, within a period of two weeks in the above terms, execution of the impugned order dated 21.08.2019 shall remain stayed till 30.06.2020.

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

FEBRUARY 18, 2020
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SANJEEV SACHDEVA, J

सत्यमेव जयते