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

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Judgment delivered on: 13.02.2020

+ RC.REV. 55/2019

SANJEEV BHASIN & ANR

..... Petitioners

versus

BALWANT RAI (DECEASED) THR LRS & ANR..... Respondents

Advocates who appeared in this case:

For the Petitioner: Mr.Lalit Bhardwaj, Mr.M.K.Malhotra, Mr.Jatin Dwivedi and Mr.Shubham Chaturvedi, Advocates.

For the Respondent: Mr.Rajat Aneja and Ms.Rajula Gaur, Advocates for respondent No.2.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners impugn order dated 07.09.2018, whereby Leave to defend application of the petitioners has been dismissed and an eviction order passed.

2. Respondents had filed the subject eviction petition seeking eviction of the petitioners on the ground of bonafide necessity under Section 14(1) (e) of Delhi Rent Control Act, 1958 with regard to one shop situated on the basement (rear portion) of shop No. 151, Gaffar

Market, Karol Bagh, New Delhi admeasuring 10 feet 2 inches x 12 feet, 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, seeks leave to withdraw the petition.

4. Petitioners who are present in person undertake that they shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondents on or before 12.08.2020. They further undertake that they shall pay a sum of ₹ 15000/- per month as use and occupation charges to the respondents with effect from 06.03.2019 till the time they hand over the peaceful vacant possession of the tenanted premises to the respondents on or before 12.08.2020. They further undertake that they shall clear the arrears of use and occupation charges in two equal monthly instalments.

5. They further undertake that they shall clear all water, electricity and other dues/charges in respect of the tenanted premises before they vacate the premises on or before 12.08.2020.

6. 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 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 petitioners filing an affidavit of undertaking in the above terms, within a period of two weeks, execution of the impugned order dated 07.09.2018 shall remain stayed till 12.08.2020.
11. Order *Dasti* under signatures of the Court Master.

FEBRUARY 13, 2020
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SANJEEV SACHDEVA, J.