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

% Judgment delivered on: 14.02.2020
+ RC.REV. 661/2019

MOHD SARIF

..... Petitioner

versus

REHANA PARVEEN

..... Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. Diwan Singh Chauhan, Advocate with petitioner in person.

For the Respondent: Mr. Rajat Aneja, Advocate with respondent in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

CM APPL. 6056/2020 (Early Hearing)

Mr. Rajat Aneja, Advocate entered appearance on behalf of the respondent.

For the reasons stated in the application, the application is allowed. With the consent of the parties, the petition is taken up for hearing today. The next date already fixed i.e. 04.05.2020 is hereby cancelled.

RC.REV. 661/2019

1. Petitioner impugns order dated 05.07.2019, whereby eviction petition filed by the respondent has been allowed after trial.
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 tenanted premises i.e. entire ground floor comprising of one room, open court yard, bathroom, kitchen and latrine forming part of property No. 4751, Gali Razia Begum, Hauz Qazi, Delhi-1 10006, except staircase, 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. 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 31.03.2021. Petitioner further undertakes that he shall pay a sum of ₹ 5,000/- per month as use and occupation charges to the respondent w.e.f. 01.02.2020 till the time he hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 31.03.2021.
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 on or before

31.03.2021. Petitioner further undertakes that the petitioner shall not sublet, assign or part with the possession of the tenanted premises or any part thereof.

6. 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.

7. The undertaking is accepted.

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

9. The Petition is accordingly dismissed as withdrawn.

10. Subject to petitioner filing an affidavit of undertaking, within three weeks in the above terms, execution of the impugned order dated 05.07.2019 shall remain stayed till 31.03.2021.

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

SANJEEV SACHDEVA, J

FEBRUARY 14, 2020

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