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

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Judgment delivered on: 26.02.2020

+ RC.REV. 47/2020 with CM APPL. 2968/2020 (Stay)

LAXMI NARAYAN

..... Petitioner

versus

ROHIT AGGARWAL

..... Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. Rohit Jain and Mr. Gaurav Jain, Advocate.

For the Respondent: Mr. Ashok Kr. Arya and Mr. Shivam Sharma,
Advocates.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 22.07.2019, whereby Leave to defend application of the petitioner has been dismissed 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 to one room (Hall), situated on first floor, as shown in Red colour in the site plan annexed with the eviction petition, ad-measuring 21'x37' and 3'-

3"x11'-6"x4 in property bearing No. 4893, first floor, Fatak Namak, Hauz Qazi, Delhi, more particularly as shown in red colour in site plan annexed to 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 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. He further undertakes that petitioner shall pay a sum of ₹10,000/- per month with effect from 01.02.2020 as use and occupation charges to the respondent till the time petitioner hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 31.03.2021. Petitioner further undertakes to clear the arrears of rent at the rate of ₹140/- per month w.e.f. 01.05.2015 till 31.01.2020 within four weeks from today.

5. Petitioner further undertakes that he 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.

6. Petitioner further undertakes that he shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. He further undertakes that he 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 22.07.2019 shall remain stayed till 31.03.2021.

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

FEBRUARY 26, 2020

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SANJEEV SACHDEVA, J.