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

+ **CONT.CAS(C) 310/2020**

DINESH MONGA

..... Petitioner

Through Mr. Vineet Chadha with Mr. Atul
Sahi, Advocates.

versus

RAJESH GANDHI

..... Respondent

Through Mr. Prateek Tanwar, Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **19.06.2020**

1. The hearing was conducted through video conferencing.
2. Learned counsel for the respondent, who appears on advance notice, submits that the respondent is suffering from kidney problems and is a high risk patient and on account of pandemic Covid-19, he could not locate alternative premises to shift. He submits that the use and occupation charges, as directed by order dated 16.09.2019, have been deposited in the account of the petitioner yesterday up till 30.06.2020.
3. Learned counsel for the respondent prays that the time granted to the respondent may be extended till 30.09.2020 to enable the respondent to make an alternative arrangement and to shift.
4. Learned counsel for the petitioner submits that though respondent has not abided by the earlier undertaking, however,

keeping a sympathetic approach in view of the present pandemic, he agrees to extend the time up till 30.09.2020 provided the respondent pays the use and occupation charges in advance.

5. Learned counsel for the respondent undertakes on behalf of the respondent that respondent shall vacate the premise on or before 30.09.2020. He also undertakes that the respondent shall pay the three months' use and occupation charges @ Rs.3,000/- per month in advance on or before 10.07.2020. He also undertakes that respondent shall clear the water and electricity charges.

6. The undertaking is accepted.

7. In view of the above statement, learned counsel for the petitioner seeks leave to withdraw the petition.

8. Petition is, accordingly, dismissed as withdrawn.

9. Copy of the order be uploaded on the High Court website and be also forwarded to learned counsels through email.

SANJEEV SACHDEVA, J

JUNE 19, 2020
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