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

+ **RC.REV. 167/2020**

ABDUL KALIQ

..... Petitioner

Through: Mr. Arun Maitri, Advocate with
Ms.Radhika Chandrasekhar,
Advocate.

versus

MOHD ARSHAD

..... Respondent

Through: Mr. Ashok Kumar Arya, Advocate.

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

% **15.07.2020**

(Video Conference Hearing)

CM APPL. 15132/2020 (Exemption)

It is an application seeking exemption from filing certified copies of annexures etc. Allowed, subject to just exceptions.

Application stands disposed of accordingly.

RC.REV. 167/2020 & CM APPL. 15131/2020 (stay)

During the course of hearing, Mr. Maitri, ld. counsel for the petitioner submits that he has instructions to not to press the revision petition but for seeking some time for the petitioner to vacate and handover the peaceful and vacant possession of the premises subject matter of the revision petition to the owner – the respondent. In the given regard, Mr.Maitri submits that the petitioner may be permitted to vacate and handover the peaceful,

vacant possession of the subject premises on or before 31.05.2021. Mr. Arya, ld. counsel for the respondent submits that he has instructions to join for grant of such time subject however to the following stipulations:

- (i) The petitioner shall handover the peaceful vacant possession of the subject premises i.e. Shop No.5799, Kucha Rehman Ballimaran, Ward No.6, Delhi-110006 to the respondent on or before 31.05.2021;
- (ii) The petitioner shall clear all the arrears of rent till the passing of the impugned eviction order dated 06.11.2019 within 15 days from today;
- (iii) Petitioner shall not sublet or part with the possession of the subject premises to any third party;
- (iv) Petitioner shall pay the use and occupation charges of the subject premises to the respondent at the rate of Rs.5,000/- per month from the date of the eviction order till the time of handing over of the peaceful and vacant possession of the subject premises to the respondent;
- (v) Petitioner shall make payment of water and electricity charges till the time he hands over the peaceful and vacant possession of the subject premises to the respondent, as per the bills raised by the concerned Departments, without default;
- (vi) The petitioner shall furnish an Undertaking to the Court by way of an affidavit that he shall abide by the foregoing stipulations.

Subject to the petitioner abiding by the foregoing conditions and furnishing an Undertaking to the Court in the foregoing terms, within 07 days of resumption of the regular functioning of the Court, the operation of

the impugned eviction order dated 06.11.2019 shall remain stayed till 31.05.2021.

Petition stands disposed of along with pending application, if any.

A. K. CHAWLA, J

JULY 15, 2020

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