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

+ **RC.REV. 171/2020**

**SMT. BASANTI DEVI**

..... Petitioner

Through: Mr. B.K. Pandey, Adv. with  
petitioner in person.

versus

**SH. HARI SINGH**

..... Respondent

Through: Mr. Rajesh Bhatia, Adv. with  
respondent in person.

**CORAM:**

**HON'BLE MR. JUSTICE A. K. CHAWLA**

**ORDER**

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**30.07.2020**

**(Video Conference Hearing)**

**RC.REV. 171/2020 & CMAPPL. 16140/2020 (stay)**

During the course of hearing, ld. counsel for the petitioner on instructions seeks indulgence to vacate and handover peaceful and vacant possession of the premises subject matter of the instant proceeding i.e. Shop No. 4 (Two side open corner shop) situated at ground floor of property bearing No. C-143, Hari Nagar, Clock Tower, New Delhi-110064 to the respondent – the owner/landlord and meantime, w.e.f. 01.04.2020 pay the use and occupation charges @ Rs.7,500/- per month and that, the petition is not pressed on any ground whatsoever. In his submissions, the amounts towards rent/ user charges have been paid @ Rs.330/- per month till

31.03.2020 and there are no outstanding arrears. Mr. Bhatia, ld. counsel for the respondent does not dispute the factual aspect as regards the receipt of such amounts. Mr Bhatia , on instructions, also agrees to the time for vacation of the subject premises being granted to the revisionist as put across on behalf of the revisionist.

Taking into account the totality of facts and circumstances and the foregoing submissions made on behalf of the parties, the revision petition is disposed of with the directions, as follows:

- (i) The revisionist shall vacate and handover the peaceful vacant possession of the subject premises to the respondent on or before 30.12.2021;
- (ii) Towards use and occupation charges of the subject premises, the revisionist shall pay a sum of Rs.7,500/- per month with effect from 01.04.2020 and the arrears falling due shall be paid within four weeks from today and the monthly amounts so falling due, shall be paid by the revisionist on month to month basis by the 5<sup>th</sup> day of each succeeding month till the time she vacates and hands over the peaceful vacant possession of the premises to the respondent;
- (iii) The revisionist shall make payment of all the outstanding dues towards electricity, water and any other charges payable by her on regular basis and as on the date of her vacating the subject premises, there shall not be any arrears due and payable by her either to the respondent or any other authority;
- (iv) The revisionist shall not part with possession of the subject premises or any part thereof to anyone else; and

- (v) The revisionist shall furnish an undertaking by way of an affidavit on the foregoing terms within seven days of the resumption of regular functioning of the Court.

Subject to the foregoing compliances being made, the operation of the impugned eviction order dated 19.02.2020 shall remain stayed.

Revision and the pending application stand disposed of accordingly.

**A. K. CHAWLA, J**

**JULY 30, 2020**

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