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

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Judgment delivered on: 15.01.2020

+ RC.REV. 676/2019 & CM APPL. 51411/2019, 51413/2019

ADARSH KAPOOR

..... Petitioner

versus

SANJAY KHOSLA

..... Respondent

Advocates who appeared in this case:

For the Petitioner:

Mr. Dhan Mohan, Ms. Tanu B. Mishra, Mr. Ravi Mishra and Ms. Manvi with petitioner in person.

For the Respondent:

Mr. M. K. Arora, Advocate with respondent in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 30.05.2019, whereby Leave to defend application of the petitioner has been dismissed by the Rent Controller and an eviction order passed.

2. Respondent had filed the subject eviction seeking eviction of the petitioner on the ground of bonafide necessity under Section 14(1) (e) of the Delhi Rent Control Act, 1958, from A-20, Ground Floor, Tagore Market, Kirti Nagar, New Delhi, measuring 300 square feet, more particularly 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 petitioner shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 30.09.2020. Petitioner further undertakes that he shall pay a sum of ₹ 40,000/- per month as use and occupation charges to the respondent, with effect from 01.12.2019, till the time petitioner hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 30.09.2020.

5. Petitioner further undertakes that 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 30.09.2020.

6. Petitioner further undertakes that petitioner shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. Petitioner further undertakes that petitioners 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 in the above terms, within a period of two weeks, execution of the impugned order dated 30.05.2019 shall remain stayed till 30.09.2020.

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

JANUARY 15, 2020
‘SSC’

SANJEEV SACHDEVA, J



भारतमेव जयते