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

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Judgment delivered on: 08.01.2020

+ RC.REV. 706/2019 & CM APPL. 55200/2019

MANI ARORA & ORS

..... Petitioner

versus

RENU MEHTA & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner:

Mr. Rakesh Malhotra with Mr. Amit Grover,
Advocates with petitioner No. 1 in person

For the Respondent:

Mr. Gaurav Bhardwaj and Ms. Sushmita
Tanwar, Advocates.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners impugn order dated 15.07.2019 whereby leave to defend application of the petitioners has been dismissed as the same was filed beyond the time and eviction order passed.

2. Respondents had filed the subject eviction petition seeking eviction of the petitioner from One Shop bearing private No.A-2, measuring 7' x 9' on the ground floor, forming part of property bearing No. A-7/47, Krishna Nagar, Delhi - 110051, more particularly

as shown red colour in the site plan annexed to the eviction petition.

3. Learned counsel for the petitioners under instructions from petitioner No. 1, who is present in court, seeks leave to withdraw the petition.

4. Petitioner No. 1 who is present in Court in person, undertakes on her behalf and on behalf of the other petitioners that they shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 30.04.2021. Petitioners further undertake that petitioners shall pay use and occupation charges at the rate of Rs.15,000/- per month with effect from 16.01.2020 till the time they hand over the peaceful vacant possession of the tenanted premises to the respondent on or before 30.04.2021.

5. Petitioners further undertake that they shall clear all water, electricity and other dues/charges in respect of the tenanted premises before they vacate the premises. They further undertake that they shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. They further undertake that they shall not cause any damage to the tenanted premises and shall hand over the possession of the same in the condition as it exists today subject to normal wear and tear.

6. The undertaking is accepted.

7. Learned counsel for the respondent under instructions from the

respondent submits that the undertaking is also acceptable to the respondent.

8. In view of the above, the petition is dismissed as withdrawn.

9. Subject to petitioners filing affidavit of undertaking in the above terms within a period of two weeks from today, execution of the impugned order dated 15.07.2019 shall remain stayed till 30.04.2021.

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

JANUARY 08, 2020
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SANJEEV SACHDEVA, J.