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

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Judgment delivered on: 14.01.2020.

+ RC.REV. 186/2018 & CM APPL.17801/2018 (stay), CM
APPL.23936/2018 (stay)

SAHID

..... Petitioner

versus

INSHA ALLAH @ NOOR JAHAN BEGUM..... Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. Jai Sahai Endlaw with Mr. Shivansh Soni and
Ms. Deepika Mishra, Advocates.

For the Respondent: Ms. Zubeda Begum with Ms. Sana Ansari,
Mr. Zubin Singh and Ms. Ishita, Advocates for
respondent with respondent in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

**RC.REV. 186/2018 & CM APPL.17801/2018 (stay), CM
APPL.23936/2018 (stay)**

1. Petitioner impugns order dated 09.01.2018, whereby the leave to defend application of the petitioner has been dismissed and an eviction order passed.

2. Subject eviction petition was filed by the respondent seeking eviction of the petitioner on the ground of bonafide necessity under

Section 14(1) (e) of the Delhi Rent Control Act, 1958, from two rooms, one bedroom, one dalan, courtyard, kitchen, bathroom and latrine in the ground floor of property No.2086, Ward No.XI, Kucha Nahar Khan, Daryaganj, Delhi, more particularly as shown in red colour in the site plan annexed with the eviction petition.

3. Learned counsel for the petitioner seeks leave to withdraw the petition. He further submits that he has instructions on behalf of the petitioner to undertake that petitioner shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 31.10.2020. Learned counsel for the petitioner undertakes on behalf of the petitioner that the arrears of rent occupation charges shall be cleared by the petitioner within six weeks. He further undertakes that the petitioner shall pay use and occupation charges at the agreed rate of rent.

4. Learned counsel for the Petitioner further undertakes on behalf of the petitioner 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 31.10.2020. Learned counsel for the Petitioner further undertakes on behalf of the petitioner that the petitioner shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. He further undertakes that petitioner shall not cause any damage to the tenanted premises and shall hand over the peaceful and vacant possession of the tenanted premises in the same condition as it exists today subject to normal

wear and tear.

5. The undertaking is accepted.
6. Learned Counsel for the Respondent submits that the undertaking is acceptable to the respondent.
7. Petition is, accordingly, dismissed as withdrawn.
8. Subject to petitioner filing an affidavit of undertaking in the above terms, within a period of two weeks, execution of the impugned order dated 09.01.2018 shall remain stayed till 31.10.2020.
9. Order *Dasti* under signatures of the Court Master.

JANUARY 14, 2020
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SANJEEV SACHDEVA, J