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

+ **RC.REV. 177/2018 & CM APPL. 17004/2018**

ASHOK ARORA & ANR

..... Petitioners

Through Mr. Rohit Gandhi, Advocate

versus

SHRI LAL SINGH

..... Respondent

Through Mr. Satish Kumar Tomar, Advocate

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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03.02.2020

1. Petitioner impugns order dated 28.10.2017 whereby leave to defend application of the petitioner has been dismissed and an eviction order passed.
2. Respondent had filed the subject eviction petition seeking eviction of the petitioner from Shop on the ground floor and two rooms with toilet on the first floor of property bearing No. WZ-69, Village Todapur, New Delhi, more particularly as shown in red colour in the site plan annexed to the eviction petition.
3. Learned counsel for the petitioner submits that subsequently the premises were sealed under directions of the Monitoring Committee appointed by the Supreme Court of India.
4. Learned counsel for the petitioners, under instructions from

petitioner no. 2 – Rajender Arora who is present in Court in person undertakes to surrender the tenancy and handover over peaceful vacant possession of the tenanted premises to the respondent.

5. Learned counsel for the petitioners seeks leave to withdraw the petition. He submits that he shall be approaching the Monitoring Committee for de-sealing the property to enable the petitioners to remove his articles/goods lying in the said property.

6. He further submits that he hereby surrenders his tenancy rights and henceforth shall have no right or claim against the said property. He submits that in case the property is desealed and Respondents receive possession, he may be permitted to remove his articles.

7. Learned counsel for the respondent under instructions from the respondent submits that he accepts the surrender of tenancy and shall be approaching the Monitoring Committee for de-sealing of the property in accordance of law. He submits that Respondent would have no objection to Petitioners removing their articles, subject to permission being granted by the Monitoring Committee.

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 In view of the above, petition is dismissed as withdrawn.

9. Order *dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 03, 2020

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