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

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Judgment delivered on: 14.02.2020

+ RC.REV. 402/2018

SANJAY SHARMA

..... Petitioner

versus

FAKIR CHAND GUPTA & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Sat Pal Sharma, Advocate with petitioner in person.

For the Respondent: Mr. Viney Sharma, Advocate with respondent.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 07.05.2018, whereby the eviction petition filed by the respondents has been allowed after trial.

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, in respect of two rooms, open Courtyard, one toilet, passage and one kitchen at the ground floor of property bearing No.417, Katra Maidgran, Khari Baoli, Delhi-110006, 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 he shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondents on or before 13.08.2021. Petitioner further undertakes that he shall continue to pay a sum of ₹ 5,000/- per month as use and occupation charges to the respondent till the time he hands over the peaceful vacant possession of the tenanted premises to the respondents on or before 13.08.2021.

5. Petitioner further undertakes that he shall clear all water, electricity and other dues/charges in respect of the tenanted premises before the petitioner vacates the premises on or before 13.08.2021. Petitioner further undertakes that he shall not sublet, assign or part with the possession of the tenanted premises or any part thereof.

6. Petitioner further undertakes that he shall not cause any damage to the property and shall hand over the peaceful vacant possession of the tenanted premises to the respondents in a condition as existing today, subject to normal wear and tear.

7. The undertaking is accepted.

8. Learned Counsel for the Respondents submits that the undertaking is acceptable to the respondents.

9. The Petition is accordingly dismissed as withdrawn.

10. Subject to petitioner filing an affidavit of undertaking, within two weeks in the above terms, execution of the impugned order dated 07.05.2018 shall remain stayed till 13.08.2021.

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

FEBRUARY 14, 2020

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SANJEEV SACHDEVA, J

