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

% Judgment delivered on: 21.01.2020

+ RC.REV. 562/2016

SURENDRA MOHAN CHABRA Petitioner

versus

DR VISHAL BANSAL & ORS Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Rakesh Tiku, Sr. Advocate with Mr. M.P. Sinha and Mr. Sandeep Kumar, Advocates with petitioner in person.

For the Respondent: Mr. G.P. Thareja with Mr. Harshit Thareja and Mr. Vishal Bansal, Advocates.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 08.08.2016, whereby the eviction petition filed by the Respondent has been allowed and an eviction order passed.

2. Respondent had filed the subject eviction petition seeking eviction of the petitioner on the ground of bonafide necessity under Section 14(1) (e) of the Delhi Rent Control Act, 1958, from one shop bearing private No.3 forming part of property No.8-G, Kamla Nagar, Delhi-110007, more particularly as shown in red colour in the site plan annexed with the eviction petition.

3. Learned senior 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 30.09.2021. Petitioner further undertakes that he shall pay a sum of Rs.20,000/- per month as use and occupation charges to the respondent till the time petitioner hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 30.09.2021.
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 30.09.2021.
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 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 The Petition is, accordingly, dismissed as withdrawn.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 in the above terms, within a period of two weeks, execution of the impugned order dated 08.08.2016 shall remain stayed till 30.09.2021.

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

SANJEEV SACHDEVA, J

JANUARY 21, 2020
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