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

% Judgment delivered on: 09.01.2020

+ RC.REV. 560/2017 & CM APPL. 44583/2017, 44585/2017,
24772/2019

MOHD USMAN

..... Petitioner

versus

SUBHASH CHAND & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Sanjay Sehgal, Advocate

For the Respondent: Mr. Asheesh Jain with Mr. Adarsh Kumar Gupta,
Advocates

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 31.05.2017, whereby leave to defend application filed by the petitioner has been dismissed and an eviction order passed.

2. Respondent had filed the subject eviction seeking eviction of the petitioner on the ground of bonafide necessity under Section 14(1) (e) of the Delhi Rent Control Act, 1958, from Shop No. 349, Press Street, Sadar Bazar, Delhi-110006, 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.

4. Learned counsel for the petitioner submits that he has instructions from the petitioner to undertake that petitioner shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 31.07.2021. He further undertakes that petitioner shall continue to pay a sum of ₹ 30,000/- 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 31.07.2021.

5. Learned counsel 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 31.07.2021.

6. Learned counsel further undertakes that petitioner shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. He 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 Respondent submits that the

undertaking is acceptable to the respondent.

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 The Petition is accordingly dismissed as withdrawn.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 31.05.2017 shall remain stayed till 31.07.2021.

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

JANUARY 09, 2019
'rs'

SANJEEV SACHDEVA, J



भारतमेव जयते