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

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Judgment delivered on: 15.01.2020

+ RC.REV. 574/2017 & CM APPL. 46190/2017 & 2942/2018

DARSHAN SINGH

..... Petitioner

versus

AMRIT LAL GHAI

..... Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. Gurvinder Singh, Advocate

For the Respondent: Mr. Karnail Singh, Mr. Mahavir Singh, Mr. Dharmender Singh and Ms. Panchajanya Batra Singh, Advocates.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 06.07.2017, 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 entire property bearing No. 12/711, Ganesh Nagar No. 2, Shakarpur, Delhi - 110092, 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 petitioner shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 30.06.2021. Petitioner further undertakes that she shall pay a sum of ₹ 3500/- per month with effect from 01.01.2020 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 30.06.2021.

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 30.06.2021.

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 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 06.07.2017 shall remain stayed till 30.06.2021.

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

JANUARY 15, 2020
'rs'

SANJEEV SACHDEVA, J

