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

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Judgment delivered on: 20.01.2020

+ RC.REV. 20/2016 & CM APPL. 1449/2016

SUDARSHAN KUKRETI

..... Petitioner

versus

PHOOL WATI

..... Respondent

Advocates who appeared in this case:

For the Petitioner:

Mr.Amardeep Maini, Advocate.

For the Respondent:

Mr.Shalabh Gupta, Mr.Aditya Laroyia,
Advocates.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 29.07.2015, 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 on the ground of bonafide necessity under Section 14(1) (e) of Delhi Rent Control Act, 1958 with regard to Shop located on the ground floor of property No.59, Bhagwan Nagar,

Kilokri, New Delhi, more particularly as shown in red colour in the site plan attached to the eviction petition.

3. Learned counsel for the petitioner, under instructions from the petitioner, seeks leave to withdraw the petition.

4. Learned counsel for the petitioner submits that he has instructions undertake on behalf of the Petitioner that petitioner shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 20.01.2021. He further undertakes that Petitioner shall pay a sum of ₹ 8000/- 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 20.01.2021.

5. He 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 20.01.2021.

6. He 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 The Petition is accordingly dismissed as withdrawn.

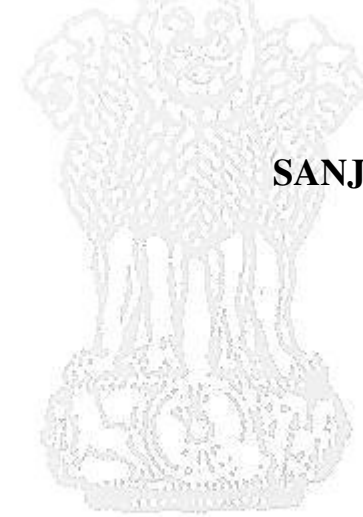
10. Subject to petitioner filing an affidavit of undertaking in the above terms, within a period of two weeks, execution of the impugned order dated 29.07.2015 shall remain stayed till 20.01.2021.

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

SANJEEV SACHDEVA, J.

JANUARY 20, 2020

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