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

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Judgment delivered on: 15.12.2022

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RC.REV. 531/2015

MOHD. SHAMSHAD

..... Petitioner

versus

MOHD. SALEEM & ORS.

..... Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Mohit Khanna and Mr. R.K.Thakur, Advocates.

For the Respondent: Mr. Rajat Aneja and Ms. Chandrika Gupta, Advocates.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 27.05.2015, 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 bearing no 1189 Kucha Chelan, Kalan Mahal, Delhi-110006.

3. Petitioner is present in Court. After some arguments, learned

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

4. Petitioner undertakes that he shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 31.12.2023.

5. Petitioner 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 31.12.2023. Petitioner further undertakes that he shall pay use and occupation charges @ ₹ 1000/- per month with effect from 01.01.2022 to the respondent till the time he hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 31.12.2023.

6. Petitioner further undertakes that he shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. He 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 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 The Petition is accordingly dismissed as withdrawn.

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10. Petitioner shall file an affidavit of undertaking in the above terms, within a period of 10 days. Subject to petitioner filing the affidavit of undertaking in the above terms and complying with the undertaking, the eviction order dated 27.05.2015 shall remain stayed till 31.12.2023.

DECEMBER 15, 2022
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SANJEEV SACHDEVA, J