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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CM(M) 1180/2023**  
**MS PREETI** ..... Petitioner

Through: Mr. Harshit Jain, Mr. Siddharth Joshi,  
Mr. Shubham Singh, Advocates with  
Petitioner and R-2 in person

versus

**MS MAMTA & ANR.** ..... Respondents

Through: Mr. Sanjeev Sagar and Mr. Ronak  
Gupta, Advocates for R-1

*Date of decision: 14<sup>th</sup> February, 2024*

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**CORAM:**

**HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA**

**J U D G M E N T**

**MANMEET PRITAM SINGH ARORA, J (ORAL):**

**CM APPL. 1432/2024**

1. The learned counsel for the Respondent No. 1 states on instructions that in view of the undertaking of vacation of premises given by Petitioner and Respondent No. 2, the Petitioner has no objection to the modification of the consent order dated 05<sup>th</sup> December, 2023, so as to limit the obligation of the Petitioner to pay use and occupation charges at Rs. 15,000/- w.e.f. 01<sup>st</sup> May, 2023.

2. Accordingly, the CM APPL. 1432/2024 stands disposed of in terms of the order passed therein.

**CM(M) 1180/2023**

3. The affidavit-cum-undertaking of the Petitioner as well as Respondent



No.2 has been placed on record. The said undertaking is accepted and the Petitioner and Respondent No. 2 are bound down to the same.

4. The Petitioner and Respondent No. 2 state that the present petition be disposed of in terms of the said undertaking; as the Petitioner and Respondent No. 2 have accepted the eviction order passed by judgment dated 23<sup>rd</sup> May, 2023.

5. The Petitioner and Respondent No. 2 further undertake that they will clear all electricity dues for premises bearing no. 1/6826, East Rohtas Nagar, Main Road, Shahdara, Delhi-110032 ('tenanted premises') on or before 31<sup>st</sup> March, 2024.

6. The Petitioner and Respondent No. 2 are directed to hand-over the peaceful and vacant possession of the tenanted premises to Respondent No. 1, Ms. Mamata on or before 31<sup>st</sup> March, 2024 or her duly authorized representative.

7. It is directed that in case of violation of the undertaking given to this Court, the entire payment of use and occupation charges from the w.e.f. 11<sup>th</sup> October, 2018 as per order dated 05<sup>th</sup> December, 2023 shall become due and payable. The Respondent No. 1 will be entitled to seek recovery of the said use and occupation charges and possession of the tenanted premises through execution.

8. With the aforesaid direction, the present petition along with applications stand disposed of.

**MANMEET PRITAM SINGH ARORA, J**

**FEBRUARY 14, 2024/hp**