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

+ **RC.REV. 144/2024**

NEERAJ AHUJA

.....Petitioner

Through: Mr. Shailendra Pratap Singh,
Mr. Anand Darshan and Mr. Shailesh
Chandra Jha, Advocates with
petitioner in person

versus

NEERAJ CHHABRA

.....Respondent

Through: Mr. Kunal Sabharwal and Mr. Deepak
Mahajan, Advocates with respondent
in person

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

08.08.2024

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**RC.REV. 144/2024 & CM APPL. 45375/2024 (for permission to
withdraw the present petition)**

1. The instant application is filed under Order XXIII Rule 1 read with section 151 CPC seeking permission to withdraw the present petition in view of the settlement dated 30.07.2024.
2. The respondent filed an eviction petition bearing no. E-156/2019 (new no. 951/2019) titled as **Neeraj Chhabra V Neeraj Ahuja** on the ground of *bona fide* requirement as per section 14(1)(e) of the Delhi Rent Control Act, 1958. The petitioner after service of summons as per the Third Schedule, filed an application for leave to defend, which was ordered to be dismissed vide impugned order dated 27.01.2024, as a consequence of which, an eviction order was passed in respect of the tenanted premises i.e. one



commercial shop in the front portion of the Ground Floor of the property bearing no. 1320-21, Ward No. XVI, Naiwala, Desh Bandhu Gupta Road, Karol Bagh, New Delhi as shown in green colour in the site plan attached with the eviction petition. The petitioner being aggrieved, filed the present petition.

3. The respective counsel for the petitioner and the respondent stated that the petitioner and the respondent have settled their disputes vide Memorandum of Understanding/MoU stated to be executed on 30.07.2024 whereby the petitioner has agreed to vacate the tenanted premises as detailed hereinabove on or before 15.08.2024 and in terms of the settlement, the respondent has already paid a demand draft of Rs.2,00,000/- to the petitioner before the executing court.

4. The respective counsel for the petitioner and the respondent, on instructions, stated that the petitioner and the respondent shall abide by the terms and conditions of the MoU dated 30.07.2024.

5. In view of the submissions made by the respective counsel for the petitioner and the respondent and the MoU dated 30.07.2024, the present petition along with pending applications, if any, stands dismissed as withdrawn.

6. The next date of hearing i.e. 13.09.2024, stands cancelled.

DR. SUDHIR KUMAR JAIN, J

AUGUST 8, 2024

N/AM