



2024:DHC:6397



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% ***Date of decision : 22nd August, 2024***+ **CM(M) 1173/2019 & CM APPL. 35511/2019 & CM APPL. 43612/2019 & CM APPL. 4116/2023 & CM APPL. 7447/2023 & CRL.M.A. 39745/2019****AKHTARI BEGUM & ANR****.....Petitioners**Through: **Mr. Gurmehar S. Sistani, Advocate
(through video conferencing)
Petitioner No.2 in person.****versus****VIKRAM SHARMA & ORS****.....Respondents**Through: **Mr. Rajat Aneja with Ms. Chandrika Gupta, Mr. Aditya Sharma, Advocates for respondent No.1 with respondent No.1 in person.
Mr. Anil Soni, CGSC for UOI with Mr.Devvrat Yadav, Advocates.
Mr. Varun Talwar and Ms. Sanya Arora, Law Officer for respondent No.6.****CORAM:****HON'BLE MR. JUSTICE MANOJ JAIN****J U D G M E N T (oral)**

1. In the case in hand, after the eviction order was passed under Section 14(1)(e) of Delhi Rent Control Act, objection was filed in the execution proceedings. According to objectors, they were residing as tenant in the suit premises but under the landlordship of custodian of enemy property and that the Decree Holder was not the owner of the property. Fact remains that such objection was dismissed on 20.05.2019.



2. Said order is under challenge.
3. The matter has now been amicably resolved.
4. All the nine petitioners have filed their affidavits which are handed over today during the course of the proceedings.
5. The same be made part of the e-file.
6. The petitioners have undertaken in such affidavits that they would vacate the premises in question on or before 31.12.2025 and they have also undertaken that if there are any dues with respect to the consumption of water and electricity in the premises in question up to 31.12.2025, the same would also be cleared by them.
7. Sh. Sistani, learned counsel for the petitioners has also joined the proceedings through video conferencing and the petitioner No.2 is also present in Court.
8. During course of the consideration, learned counsel for respondent No.1 pointed out that though the tenancy was with respect to the first floor of the suit premises but in the interregnum, there was some unauthorized construction over second and third floor of the suit property. It is informed that eventually, the warrants of possession, which had been issued by the learned Executing Court, were also with respect to such upper floors after the Executing Court had called for a report from Local Commissioner.
9. Needless to say, the petitioners would vacate the entire premises in question, as undertaken by them, on or before 31.12.2025.
10. Learned counsel for respondent No.1 states that in view of the aforesaid affidavits furnished by the petitioners herein, he is also left with no grievance and he would not insist for execution on or before



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31.12.2025.

11. The petition stands disposed of in the above terms.

12. It is, however, clarified that the present settlement is only between the landlord and the objectors and this would not impact the interest, if any, of the Union of India in the suit property.

(MANOJ JAIN)
JUDGE

AUGUST 22, 2024
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