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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 2795/2024 & CM APPL. 35171-35174/2024**
NEERAJ GUPTAPetitioner

Through: Mr. Arun Birbal and Mr. Sanjay
Singh, Advocates

versus

ALKA SACHDEVA AND ORS.Respondent
Through: Mr. Sameer Vashisht, Mr. P.K. Rawal
and Mr. Tarun Agarwal, Advocates
for R-1

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
11.07.2024

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1. Learned counsel for petitioner is present with petitioner.
2. Respondent no. 1 is also present in person with her counsel.
3. Present petition has been filed under Article 227 of the Constitution of India challenging judgment dated 05.04.2024 passed by learned Rent Control Tribunal.
4. Attention of the Court has been drawn towards various previous orders passed during the course of aforesaid proceedings.
5. Petitioner herein happens to be the brother of the alleged tenant. There is a decree against such tenant as she did not choose to contest the aforesaid petition which had been filed under Section 14 (1) (e) of Delhi Rent Control Act.
6. During course of the consideration, both the sides were asked to find

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out amicable solution of the matter and with the assistance of learned counsel for both the sides, the parties have arrived at amicable settlement.

7. The terms of the settlement are as under:-

- (i) Petitioner herein has agreed to hand over the vacant and peaceful possession of the suit property i.e. A-4/4, Ground floor, Main Road, Krishna Nagar, Delhi-110051 to respondent no. 1 within eight months from today.
- (ii) It is admitted by the petitioner that he is in exclusive possession of the suit shop and would not create any kind of third party interest in the suit shop in the interregnum.
- (iii) It is also agreed by both the parties that amount, which the petitioner has deposited in the Court of learned Rent Control Tribunal, would be permitted to be withdrawn exclusively and unconditionally by the petitioner herein and respondent no. 1 would have no claim over the same.
- (iv) It is also agreed that no petition or case filed by either of the parties in connection with the tenancy in question would be pursued any further and the same would be withdrawn immediately.
- (v) Respondent no. 1 has filed one RFA (COMM.) 78/2022 which is presently pending adjudication before Division Bench of this Court, in which next date is 16.10.2024. It is undertaken by her that said appeal would also be unconditionally withdrawn by her in terms of the aforesaid settlement.
- (vi) Petitioner states that he would not pursue with his complaint which he had earlier filed before the police authority and would ensure that these are also got withdrawn in accordance with law.



8. Both the parties are present in person and the terms thereof have been explained to them in vernacular even by the Court and they have agreed to the aforesaid terms and, therefore, their such statements are taken as undertaking given to this Court. Needless to say, such undertaking is accepted by the Court.

9. Petition stands disposed of in aforesaid terms.

MANOJ JAIN, J

JULY 11, 2024/dr