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

+ **RC.REV. 629/2015**

DR V K KATARIA

..... Petitioner

Through: None.

versus

ASHOK KUMAR & ANR

..... Respondents

Through: Mr. S.C. Singhal and Mr. Saideep  
Kaushik, Advocates

**CORAM:**

**HON'BLE MR. JUSTICE GIRISH KATHPALIA**

**ORDER**

**13.05.2024**

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**[Physical Hearing/Hybrid Hearing (as per request)]**

1. Since none appears for petitioner, matter is passed over awaiting the counsel.

**GIRISH KATHPALIA, J**

**MAY 13, 2024/ry**

**Counsel for petitioner:** Mr. Saurabh Tiwari, Advocate

2. In this second call after part arguments, learned counsel for petitioner seeks a short pass-over to obtain instructions if the petitioner can be allowed to continue in the subject premises for some reasonable time.

3. Be awaited.

**GIRISH KATHPALIA, J**

**MAY 13, 2024/rk**



**CM APPL. 29155/2015 (stay)**

3. In this call, learned counsel for petitioner submits that he has obtained instructions from petitioner that petitioner be allowed to stay in the subject premises for a period of one year only and he may be permitted to withdraw the petition today itself provided he is protected from operation of the impugned eviction order. Learned counsel for respondents is not averse to the request provided the petitioner continues to pay use and occupation charges as already awarded at the rate of Rs. 5,000/- per month.

4. Under these circumstances, the petition is dismissed as withdrawn with the directions that operation of the impugned eviction order shall remain stayed till 13.05.2025 provided the petitioner continues to pay use and occupation charges as above to respondents and it is made clear that if there is violation in payment of use and occupation charges and/or the petitioner does not vacate the subject premises by 13.05.2025, the respondents shall be at liberty to seek execution of the impugned eviction order in accordance with law.

5. All pending applications also stands disposed of.

**GIRISH KATHPALIA, J**

**MAY 13, 2024/<sub>rk</sub>**

*Click here to check corrigendum, if any*