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

+ **RC.REV. 64/2024**

**SANJEEV KUMAR**

.....Petitioner

Through: Ms. Kamna Vohra, Advocate via  
video-conferencing, Mallika Parmar,  
Ms. Pallavi Daem, Advocates  
alongwith the petitioner.

versus

**KUNDAN LAL**

.....Respondent

Through: Mr. S. K. Gupta, Advocate alongwith  
the respondent.

**CORAM:**

**HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI**

**ORDER**

**25.04.2025**

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Pursuant to what was recorded in order dated 21.04.2025, the petitioner/Sanjeev Kumar and the respondent/Kundan Lal are present in court.

2. Ms. Kamna Vohra, learned counsel appearing for the petitioner submits, that she has taken instructions from the petitioner as to the time within which he would vacate the subject premises, being Shop bearing Nos. 82 and 83, Ground Floor, South Anarkali, Delhi.
3. Mr. S. K. Gupta, learned counsel appearing for the respondent, on instructions of the respondent, submits that they are willing to give a reasonable period of time to the petitioner to vacate the subject premises subject to the petitioner paying monthly use and occupation charges in the meantime.
4. The record shows that the petitioner has been occupying the subject premises since 23.12.1983 at a rental of Rs.350/- per month.

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5. In view of the above, after hearing brief submissions made by learned counsel for both parties, by consent of the petitioner as well as the respondent, the present revision petition is disposed-of with the following directions :
- 5.1. The petitioner shall vacate the subject premises being Shop bearing Nos. 82 and 83, Ground Floor, South Anarkali, Delhi *on or before 31.12.2025*;
- 5.2. In the meantime, the petitioner shall be entitled to continue in use and occupation of the subject premises for the purpose for which it has been used so far, subject however to the petitioner paying to the respondent use and occupation charges of *Rs.10,000/- per month with effect from 01.04.2025*, to be paid to the respondent by or before 07<sup>th</sup> day of every English calendar month, till the time of vacation of the subject premises;
- 5.3. The use and occupation charges for the month of April shall be paid *on or before 07.05.2025*; and
- 5.4. To facilitate electronic remittance of use and occupation charges as referred-to above, the respondent shall furnish to the petitioner requisite bank details within 07 days.
6. Furthermore, the petitioner shall file before this court an affidavit of undertaking in the following terms :
- i. *I undertake that I shall surrender vacant, peaceful, physical possession of the subject premises to the respondent or his nominee on or before 31.12.2025, against written acknowledgment of receipt.*
- ii. *During the period of my use and occupation of the subject premises, I shall pay to the respondent use and occupation charges at Rs. 10,000/- per month with effect from 01.04.2025, by or before the 07<sup>th</sup> day of every English*

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- calendar month till the time I vacate the subject premises and hand over vacant, peaceful, physical possession thereof to the respondent.*
- iii. *Furthermore, during the period of my use and occupation of the subject premises, I shall also regularly and punctually pay all utility bills, including electricity and water charges and any other dues that may arise in relation to the use and occupation of the subject premises, till the date I hand-over vacant, peaceful, physical possession thereof to the respondent or his nominee.*
- iv. *I also undertake that in the event of any default in payment of use and occupation charges and/or any utility bills as aforesaid, I shall render myself liable to pay enhanced use and occupation charges equivalent to the prevailing market rent for the relevant period instead of the agreed use and occupation charges of **Rs.10,000/-** per month as referred to above.*
- v. *I further undertake and confirm that throughout the period upto **31.12.2025**, the subject premises shall remain under my use and occupation; and I shall not create any third party rights, titles or interests whatsoever, in or to the subject premises; and that I shall not cause any damage or harm to the subject premises, failing which I shall remain liable for damages to compensate for any such damage or harm.*
- vi. *I shall remain bound by the terms of the aforesaid undertaking.*
7. Needless to add, that in the event of violation of any of the terms of the above-referred undertaking, the respondent shall be at liberty to adopt all such remedies as may be available to him, in accordance with law.
8. The petition is disposed-of in the above terms.
9. Pending applications, if any, also stand disposed-of.
10. The Registry is directed to bring to the notice of this court if the affidavit of undertaking is not filed by the petitioner as directed-above.

**ANUP JAIRAM BHAMBHANI, J**

**APRIL 25, 2025**

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