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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RC.REV. 89/2025 & CM APPL. 15212/2025**
SATISH KUMAR JITENDER MOHANPetitioner
Through: Mr. Jai Sahai Endlaw and Ms.
Sagarika Kaul, Advocates with
petitioner in-person.

versus

AKASH JAINRespondent
Through: Mr. Bharat Deep Singh and Mr.
Dipanshu Tomar, Advocates with
respondent in-person.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

03.04.2025

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At the outset, Mr. Jai Sahai Endlaw, learned counsel appearing for the petitioner submits, that the petitioner is willing to *not* press the present revision petition *if* he is granted some reasonable time to vacate the subject premises *i.e.*, Shop bearing No. G-16, Ground Floor in property No.1938, Ram Bazar, Katra Shahanshai, Chandni Chowk, Delhi, with an appropriate increase in the monthly rent/use and occupation charges.

2. Mr. Endlaw submits that the petitioner has been running a small business from the subject premises since 1988; and would need some time to re-locate.
3. Mr. Bharat Deep Singh, learned counsel has entered appearance on behalf of the respondent.
4. The petitioner as well as the respondent are also present in-person.



5. In view of the above, after brief submissions on both sides, 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 No.G-16, Ground Floor in property No.1938, Ram Bazar, Katra Shahanshai, Chandni Chowk, 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 07th day of every English calendar month, till the time of vacation of the subject premises; and
- 5.3. 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 :
- 6.1. *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.*
- 6.2. *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 07th day of the every English calendar month till the time I vacate the subject premises and hand over vacant, peaceful, physical possession thereof to the respondent.*
- 6.3. *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.*
- 6.4. *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.*
- 6.5. *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.*
- 6.6. *I shall remain bound by the terms of the aforesaid undertaking.*
7. Let an affidavit in the above terms be filed within 02 weeks from today; with copy to the opposing counsel.
8. 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.
9. The petition is disposed-of in the above terms.
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 3, 2025/ak