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

+ **CRL.REV.P. 263/2022**

RAJESH SHARMA@ MINTU

.....Petitioner

Through: Mr. Devanand, Advocate

versus

STATE OF NCT DELHI & ANR.

.....Respondents

Through: Ms. Priyanka Dalal, APP for State
Mr. Manish Srivastava and Mr.
Moksh Arora, Advocates for R-2

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

28.01.2025

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1. Learned counsel appearing on behalf of the petitioner submitted that the undertaking by way of an affidavit in terms of the order dated 23rd January, 2025, alongwith the application for the waiver of the fine imposed by the learned Trial Court has been filed *vide* Diary No. 609026/2025, however, the same is not brought on record. In view of the same, learned counsel for the petitioner placed the copy of the same to this Court and prayed that the same be taken on record.
2. Learned counsel for the respondent no. 2 submitted that he has no objection to the undertaking given by the petitioner.
3. Heard learned counsel for the parties and perused the record, alongwith the undertaking given by the petitioner and the application for waiver of fine, both of which are taken on record.



4. As per the undertaking given by the petitioner, it is observed that the petitioner shall vacate the flat bearing no. G-27, Ground Floor, Tripolia Colony, Delhi-110007 (hereinafter “subject flat”) within a period of one year from 23rd January, 2025 to 22nd January, 2026 and that he shall handover the peaceful and vacant possession of the subject flat to the respondent no. 2/BSES- Yamuna Power Limited after the expiry of the aforesaid period.

5. In view of the aforesaid undertaking given by the petitioner and the no-objection given by the learned counsel for the respondent no. 2, the instant petition is disposed of with the direction to the petitioner that he shall vacate the subject flat within a period of one year from 23rd January, 2025 to 22nd January, 2026 and shall handover the peaceful and vacant possession of the subject flat to the respondent no. 2 upon expiry of the aforesaid period. Failing which, the respondent no. 2 is at a liberty to take necessary action and take possession of the subject flat from the petitioner with the assistance of the concerned Police Station.

6. In light of the aforementioned directions, the fine of Rs. 1,00,000/- imposed on the petitioner *vide* order dated 31st January, 2022 passed by the learned Trial Court is, hereby, waived off.

7. Accordingly, the instant petition along with pending application(s) stands disposed of.

CHANDRA DHARI SINGH, J

JANUARY 28, 2025

Rk/mk

Click here to check corrigendum, if any