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

+ **CONT.CAS(C) 1267/2025 & CM APPL. 66762/2025 (early hearing)**

JAGJIVAN ASHRAM TRUST AND ORSPetitioners

Through: Mr. Ved Prakash Sharma, Advocate.

versus

NEW MODEL IMPEX PVT. LTD. & ANR.....Respondents

Through: Mr. Vishesh Wadhwa, Ms. Swadha Gupta, Mr. Tejasvi and Ms. Shubhangi Singh, Advocates.
R-2 through VC.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **18.12.2025**

1. This hearing has been done through hybrid mode.
2. The present petition under Sections 10/11/12 of the Contempt of Courts Act 1971, seeks the following prayers:-

“(a) initiate contempt proceedings against the contemnors under the Contempt of Courts Act and the contemnors be punished in accordance with law for his willful, deliberate and intentional disobedience of the undertaking given on 7.07.2022 and accepted by the Ld. Court of Shri Gurvinder Pal Singh, District Judge (Commercial Court), Patiala House Courts, New Delhi vide order dated 16.07.2022 passed in G.S. (Commercial) no. 533 of 2022, and.

(b) award costs of the present proceedings in favour of the petitioner, and/or.

(c) pass such other or further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.”

3. In pursuance of the notice issued to respondent no. 2, the latter entered



appearance. On the last date of hearing, *i.e.*, 12.12.2025, with the consent of the parties, this Court had passed the following order:-

“3. Learned counsel appearing on behalf of respondent no.2/Mr. Arvind Kumar Agarwal, on his instructions, submits that the latter shall vacate the subject premises within a period of six months from today, *i.e.*, on or before 31.05.2026, and shall pay a rent of Rs. 4,50,000/- per month to the petitioner/trust, starting from the month of December, 2025. Let an undertaking by way of an affidavit with respect to the aforesaid be placed on record by the respondent no.2 before the next date of hearing.”

4. In compliance with the aforesaid order, an affidavit-cum-undertaking dated 17.12.2025, has been placed on record by respondent no. 2, *i.e.*, Mr. Arvind Kumar Agarwal, in his capacity as Director of M/s New Model Impex Pvt. Ltd. (respondent no. 1), which reads as under:-

“1. I am a Deponent/Contemnor in the above-captioned matter and fully conversant with the facts and circumstances of the case and competent to swear this Affidavit-Cum-Undertaking before this Hon'ble Court.

2. I state that I am currently in the occupation of the premises bearing no. Jagjivan Vidya Bhawan situated at Link Road, Jhandewalan, New Delhi-110055 ("Subject premises")

3. I state that I am unequivocally and unconditionally undertaking before this Hon 'ble Court to comply with all the directions contained in the order dated 12.12.2025 in letter and spirit, without any demur or reservation.

4. I state that I hereby undertake before this Hon'ble Court to vacate and hand over the peaceful, vacant, and physical possession of the subject premises to the Petitioner/Trust on or before 31 st May, 2026.

5. I state that I undertake to pay a monthly rent/user charges/ mens profit, etc. of Rs. 4,50,000/-(Rupees Four Lacs Fifty Thousand Rupees Only). (including CGST and SGST) for the continued occupation of the subject premises, starting from the month of December 2025 and continuing each month thereafter until the actual date of vacation and handing over the possession. I further state that the aforesaid rent shall be paid by the 25th



day of each succeeding month.

6. It is submitted that no part of this Affidavit is false and nothing material has been concealed therefrom”

5. Learned counsel appearing on behalf of the petitioner points out that in paragraph 5 the words “*25th day of each succeeding month*” should be read as “*25th day of each calendar month*”, as agreed between the parties.

6. Learned counsel appearing on behalf of the respondents has no objection to the same.

7. In view of the above, it is directed that rent/user charges in terms of paragraph 5 shall be paid by 25th day of each calendar month.

8. Respondent no. 2, who appears through video conferencing confirms the undertaking given by him.

9. In view of the above, no further directions are called for.

10. Accordingly, the present petition is disposed of with liberty to the petitioner to revive the same in case of non-compliance.

11. Date already fixed, *i.e.*, 20.02.2026 stands cancelled.

AMIT SHARMA, J

DECEMBER 18, 2025/sn/db