



2025:DHC:1150



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI***Date of Decision: 19.02.2025*+ **RC.REV. 51/2025 & CM APPL. 8731-8732/2025**

UNION OF INDIA THROUGH SECRETARY

& ANR.

.....Petitioners

Through: Mr. T.P. Singh, Sr. Central Govt.
Counsel with Mr. Virendra Singh,
SSPO.

versus

MAYANK RASTOGI

.....Respondent

Through: Mr. Satish Sahai, Advocate with
Respondent through VC.**CORAM:****HON'BLE MS. JUSTICE TARA VITASTA GANJU****TARA VITASTA GANJU, J.: (Oral)****CM APPL. 8732/2025 [Exemption from filing certified/ true typed copies]**

1. Allowed, subject to just exceptions.
2. The Application stands disposed of.

RC.REV. 51/2025 & CM APPL. 8731/2025 [for stay]

3. Mr. Virendra Singh, the Senior Superintendent of the Petitioner No.2 is present in person today. The Respondent is also present through video conferencing.
4. Learned Counsel for the parties submit that the parties have amicably reached a resolution with respect to their *inter se* disputes.
5. Learned Senior Central Govt. Counsel for the Petitioners, on instructions, submits that the Petitioners need additional time of six months



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to vacate the subject premises.

6. Learned Counsel for the Respondent, on instructions from the Respondent, submits that the Respondent is not willing to give so much time and is only agreeable to allow time up to 15.04.2025. Learned Counsel for the Petitioners submits that this offer is acceptable to the Petitioners.

7. In lieu of the early vacation of the subject premises, the learned Counsel for the Respondent/landlord, on instructions from the Respondent/landlord, submits that the Respondent/landlord agrees to forego all claims for user charges and damages.

8. In view thereof, let an Undertaking by way of an Affidavit be filed by the concerned official of the Petitioners, within a week undertaking that:

(i) The Petitioners shall hand over the physical possession of the premises i.e., shop bearing No. B-14, Ground Floor situated in Prehlad Market, Desh Bandhu Gupta Road, Karol Bagh, New Delhi-110005, as shown in blue colour in the site plan annexed with the Eviction Petition [hereinafter referred to as “subject premises”];

(ii) The vacant, physical and peaceful possession of the subject premises will be handed over by the Petitioners to the Respondent on or before 15.04.2025;

(iii) The Petitioners undertake and confirm that the entire subject premises is under their occupation and control;

(iv) The Petitioners will pay all the utility bills such as electricity and water and any other dues, for the subject premises till the date of handing over of the vacant, physical and peaceful possession thereof;

(v) The Petitioners undertake that they will not create any third-party rights or part with possession of the subject premises and that they shall not



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damage the subject premises in any manner whatsoever prior to its vacation;

(vi) The Petitioners shall remain bound by the aforesaid Undertaking.

9. An advance copy of the Undertaking shall be served on the Respondent.

10. Subject to the Petitioners filing the aforesaid Undertaking before this Court within a week from today, execution of order dated 15.04.2024 passed in RC ARC No. 370/2019 [hereinafter referred to as the “Eviction Order”] shall remain stayed till 15.04.2025.

11. In the event that the Petitioners/tenants default in complying with the terms of the Undertaking filed, the interim protection granted hereinabove shall automatically stand dissolved and Respondent/landlord will be at liberty to take recourse to appropriate proceedings for recovery of possession, recovery of arrears and for recovery of the full user charges/damages from the Petitioners/tenants at market rate for the period from the date of the Eviction Order, in accordance with law.

12. The Petition is accordingly disposed of. The pending Application also stands closed.

13. List the matter for compliance on 17.03.2025 in the Supplementary List.

14. The parties shall act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

FEBRUARY 19, 2025/ ha

[Click here to check corrigendum, if any](#)