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

+ **RC.REV. 71/2023 & CM APPL. 11360/2023**

SAVITA JULKA

.....Petitioner

Through: Mr. Bharat Bhushan Bhatia, Adv.
through Vc.

versus

SAURABH SUDHIR

.....Respondent

Through: Mr. Gurpreet Singh Sethi, Mr. Dev
Arya, Adv.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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03.02.2026

1. This hearing has been done through hybrid mode.
2. The present petition under Section 25B(8) of the Delhi Rent Control Act, 1958 seeks the following prayers: -

“a. allow the present Revision Petition ;
b. set aside the impugned Judgement and Order dated 03.01.2023 passed by the **Hon'ble Court of Ms. Deepti Devesh, Ld. SCJ CUM RC, South East, Saket Courts, New Delhi, in Eviction Petition No. RC ARC/22/2019**, titled as "**Saurabh Sudhir Vs. Savita Julka** ", in favor of Petitioner and against Respondents, thereby, allowing the application for Leave to Defend filed by Petitioner;
c. pass preliminary decree, for allowing leave to defend application, filed by the Petitioners herein, in terms of prayer made therein, and thereafter, to remand the petition to the Ld. Trial Court for passing the final decree;
d. award cost of the proceedings throughout;
e. pass such further order(s) as may deem fit and expedient, in the facts and circumstances of the present case.”

3. During the course of the hearing on 12.01.2026, the petitioner had sought time to vacate the subject property and accordingly the following order



was passed: -

- “1. This hearing has been done through hybrid mode.
2. During the course of the proceedings, learned counsel for the petitioner, on instructions of the latter who is present in the Court, seeks time to vacate the subject property. Learned counsel appearing on behalf of the respondent has no objection to the same.
3. It is agreed that the petitioner shall vacate the property within a period of 1 year, subject to the payment of use and occupation charges at the rate of Rs. 17,500/- in terms of order dated 07.08.2023 passed by learned Predecessor Bench of this Court.
4. Let an affidavit of undertaking with respect to the aforesaid be placed on record before the next date of hearing.
5. List on 03.02.2026.
6. Interim orders, if any, to continue.”

4. In view of the above, an affidavit of undertaking has been placed on record, wherein it has been recorded as under: -

“That the deponent is filing the present affidavit of undertaking in compliance to the directions passed in RC. REV. No. 71 of 2023 on 12.01.2026 and undertook to vacate the said premises on or before 11.01.2027 and further undertakes to pay the use and occupation charges to the landlord in terms of order dated 07.08.2023 as mentioned in para No. 3 and will pay electricity charges till the date of vacating the premises.”

5. Learned counsel appearing on behalf of the respondent confirms the same.
6. In view of the above, learned counsel for the petitioner does not wish to press the present petition any further.
7. The present petition is disposed of as not pressed.
8. Needless to state, that the petitioner shall remain bound by the affidavit of undertaking given before this Court.

AMIT SHARMA, J

FEBRUARY 03, 2026/kr/ah