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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ RC.REV. 304/2019 & CM APPL. 23619-20/2019, 18248/2025,
30775/2025, 53842/2025

GOPAL SINGH

.....Petitioner

Through: Mr. Kapil Sankla, Mr. Saurabh Kumar
Gangwar, Ms. Simran Bharti, Advs.
with petitioner in person.

versus

KALAWATI DEVI

.....Respondent

Through: Mr. Brahm Prakash Sharma & Ms.
Kanupriya Sharma, Advs.(through
VC).

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

13.01.2026

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

“(i) Pass orders granting the Petitioners leave to defend the Eviction Petition along with being afforded an opportunity to file evidence.

(ii) Pass orders setting aside the impugned eviction order dated 01.02.2019 and dismissing the Eviction Petition

(iii) In the alternative pass orders granting leave to defend to the Petitioner and to remand the case to the trial court for adjudication after trial, in accordance with law.



(iv) pass such other and further orders as may be deemed fit and proper in the facts and circumstances of the case.”

3. Vide order dated 17.12.2025, the learned Predecessor Bench of this court passed the following order:-

“1. Learned counsels for the parties, apropos instructions from the respective tenant and landlord, submit that the parties have mutually agreed that the tenant shall be vacating the subject premises for handing over the peaceful and physical possession thereof to the landlord on or before 05.01.2026, and shall also not pay any user and occupation charges for the said period.

2. Learned counsel seeks, and is granted, a period of six days, to file an affidavit of undertaking in terms of the aforesaid. He also submits that pursuant to the aforesaid, the tenant shall withdraw SLP (C) 35361/2025 pending before the Hon’ble Supreme Court.

3. Renotify on 24.12.2025.”

4. In pursuance of the aforesaid order, the affidavit of undertaking has been placed on record. Learned counsel for the respondent confirms the handing over of the physical possession of the subject property.

5. In view of the above, learned counsel for the petitioner does not wish to press this petition. The petition is disposed of as not pressed.

6. Pending application, if any, also stands disposed of.

AMIT SHARMA, J

JANUARY 13, 2026/nk/ah