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

+ RC.REV. 59/2020

PAWAN KUMAR

.....Petitioner

Through: Mr. Prashant Mehta, Mr. Raghav
Marwaha, Mr. Ninand Bohidar and
Mr. Karan Chhabra, Advocates.

versus

SUMAN JAIN

.....Respondent

Through: Mr. Sanjeet Singh, Advocate.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

20.05.2026

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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:

“i. set aside the Impugned Order dated 06.08.2019 passed by the court of Sh. Sachin Sangwan Ld. ARC, Saket Courts (South) in Eviction Petition No. 28/2018 and allow the application for leave to defend filed by the Petitioner;

ii. pass such other or order(s) or such direction as may be deemed fit and proper in the facts and circumstances of the case and to secure the ends of justice.”

3. During the course of the present proceedings, the parties had arrived at a settlement and in pursuant thereto, the petitioner had agreed to vacate the property on or before 31.03.2028. The affidavit of undertaking has been placed on record, which is stated as under:

“1. That I am the Petitioner in the present Petition and I am fully aware of the facts and circumstances of the matter in disputes between the parties and as such I am competent to swear this affidavit.



2. That the present Affidavit is being filed in compliance with the Order dated 09.03.2026 and 17.04.2026 passed by this Hon'ble Court whereby it was jointly stated that the parties had arrived at a settlement whereby the Petitioner herein would vacate the Property bearing Shop No. 15, Private Shop No. 6 Ground Floor, Main Market, Malviya Nagar, New Delhi on or before 31.03.2028.
3. In view of the settlement arrived at between the parties, I say that the Petitioner shall vacate the Property bearing Shop No. 15, Private Shop No. 6 Ground Floor, Main Market, Malviya Nagar, New Delhi and hand over the physical possession of the same to the Respondent on or before 31.03.2028”
4. Learned counsel for the respondent points out that *vide* order dated 26.07.2023, the learned Predecessor Bench of this Court had determined the use and occupation charges with respect to subject property as Rs. 5,000/- per month, which is not specifically mentioned in the undertaking.
5. Learned counsel for the petitioner submits that the latter shall continue to pay use and occupation charges, along with the statutory dues, including electricity and water charges, till the date the latter vacates the subject property, and further submits that no further extension will be sought.
6. In view of the above, learned counsel for the petitioner seeks to leave to withdraw the present petition.
7. The present petition is dismissed as withdrawn and disposed of accordingly.
8. Needless to state that the petitioner shall abide by the undertaking given before this Court.
9. Pending application(s), if any, also stands disposed of.
10. Order be uploaded on the website of this Court *forthwith*.

AMIT SHARMA, J

MAY 20, 2026/bsr/ah