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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RC.REV. 288/2024, CM APPL. 61871/2024, CM APPL.
70144/2025, CM APPL. 17628/2026 & CM APPL. 17643/2026
SUDERSHAN KUMARIPetitioner

Through: Ms. Deepti Kathpalia, Mr. Yaman and
Ms. Charu, Advocates.

versus

SUMAN JAINRespondent

Through: Mr. Sanjeet Singh, Advocate.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **20.05.2026**

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:

“i. Call for the record of the eviction petition bearing no. 27 of 2021, titled as Suman Jain Vs. Sudershan Kumari, decided on 29.04.2024;

ii. Allow the present Revision petition thereby setting aside the impugned eviction order dated 29.04.2024 passed by Sh. Paras Dalal, Ld. ACJ/CCJ/ARC-(SE), Saket Court, New Delhi Sh. Paras Dalal, Ld. ACJ/CCJ/ARC-(SE), Saket Court, New Delhi in the aforesaid case;

iii, Allow unconditional leave to defend to the petitioner in the aforesaid eviction proceedings instituted by the respondents;

iv. Pass any other or further orders which this Hon'ble court may deem fit and proper under the facts and circumstances of the case.”

3. The affidavit of undertaking in terms of orders 17.04.2026 has been



filed on behalf of the petitioner, wherein, it is recorded as under:

“3. That this Hon'ble Court, *vide* the aforesaid Order dated 17.04.2026, has been pleased to observe that under the present circumstances, **nine months' time** is sufficient for the petitioner(s) to vacate and hand over peaceful vacant possession of the subject premises to the land lady.

4. That in compliance of the said Order, the deponents hereby solemnly undertake to this Hon'ble Court that they shall vacate and hand over peaceful, vacant and physical possession of the subject premises to the respondent/landlady within a **period of nine months, i.e., on or before 17.01.2027**, without seeking any further extension of time.

5. That the deponents further undertake that till handing over possession of the subject premises, they shall regularly and punctually continue to pay the user / occupation charges, as directed and payable in accordance with law.

6. That the deponents also undertake to clear and discharge all statutory dues and charges in respect of the subject premises, including electricity charges, water charges, and any other outstanding dues.”

4. Learned counsel for the petitioner submits, that in view of the aforesaid affidavit of undertaking, the latter shall vacate the subject premise on or before 17.01.2027 and no further extension will be sought.

5. Learned counsel for the respondent points out that *vide* order dated 21.10.2024, the learned Predecessor Bench of this Court had determined the use and occupation charges, commencing from 01.11.2024, at the rate of Rs. 65,000/- per month on or before 7th Day of each calendar month.

6. In view of the above, the learned counsel for the petitioner seeks leave to withdraw the present petition.

7. Leave granted.



8. The present petition is dismissed as withdrawn and disposed of accordingly.
9. Pending application(s), if any, also stands disposed of.
10. Needless to state that the petitioner shall abide by the undertaking given before this Court.
11. Order be uploaded on the website of this Court *forthwith*.

AMIT SHARMA, J

MAY 20, 2026/bsr/ah