

(2019) 12 DEL CK 0164

In the Delhi High Court

Case No : RC.Revision No. 492 Of 2019, Civil Miscellaneous Application No. 37310 Of 2019

Lajwanti Gulwani & Ors

APPELLANT

Vs

Savinder Singh Kohli & Anr

RESPONDENT

Date of Decision : 11-12-2019

Acts Referred:

Delhi Rent Control Act, 1958 — Section 14(1)(e)

Citation : (2019) 12 DEL CK 0164

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Advocate : J.P. Sengh, Gurkamal Hora Arora, Manisha Mehta, R.L. Sinha, Vapika Malik, S.K. Sharma, Yogender Kumar

Final Decision : Disposed Of

Judgement

Sanjeev Sachdeva, J

1. Petitioners impugn order dated 12.03.2019, whereby the Leave to defend application of the petitioner has been dismissed and an eviction order passed.
2. Respondent had filed the subject eviction seeking eviction of the petitioner on the ground of bonafide necessity under Section 14(1) (e) of the Delhi Rent Control Act, 1958, from one shop bearing private Shop No;. 8C forming part of Shop No. 8, Central Market, Lajpat Nagar-II, New Delhi, more particularly as shown in red colour in the site plan annexed with the eviction petition.
3. Learned senior counsel for the petitioner, under instructions from the petitioner, seeks leave to withdraw the petition.
4. Petitioner who is present in Court in person, undertakes that petitioner shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 10.06.2021. Petitioner further undertakes that she shall pay a sum of Rs. 10000/- per month with effect from 15.09.2019 as use

and occupation charges to the respondent till the time petitioner hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 10.06.2021. The arrears of use and occupation charges be cleared within two months.

5. Petitioner further undertakes that petitioner shall clear all water, electricity and other dues/charges in respect of the tenanted premises before the petitioner vacates the premises on or before 10.06.2021.

6. Petitioner further undertakes that petitioner shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. Petitioner further undertakes that petitioners shall not cause any damage to the property and shall hand over the peaceful vacant possession of the tenanted premises to the respondent in a condition as existing today, subject to normal wear and tear.

7. The undertaking is accepted.

8. Learned Counsel for the Respondent submits that the undertaking is acceptable to the respondent.

9. The Petition is accordingly dismissed as withdrawn.

10. Subject to petitioner filing an affidavit of undertaking in the above terms, within a period of two weeks, execution of the impugned order dated 12.03.2019 shall remain stayed till 10.06.2021.

11. Order Dasti under signatures of the Court Master.