

Duli Chand & Anr. Vs.aditya Kumar Gupta & Anr.

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Court : Delhi

Decided On : Oct-11-2019

Appellant : Duli Chand & Anr.

Respondent : Aditya Kumar Gupta & Anr.

Judgement :

\$~19 * IN THE HIGH COURT OF DELHI AT NEW DELHI % + RC.REV. 438/2018
Judgment delivered on:

11. 10.2019 DULI CHAND & ANR

... Petitioner

s versus ADITYA KUMAR GUPTA & ANR

... RESPONDENTS

Advocates who appeared in this case: For the

... Petitioner

: Mr. Sanjeev Kumar, Advocate with petitioner No.2 in person. For the
Respondent: Mr. Mayank Mohan with Mr. Lokesh Jha, Advocates. CORAM:-

"HONBLE MR JUSTICE SANJEEV SACHDEVA JUDGMENT SANJEEV
SACHDEVA, J.

(ORAL) 1.

... Petitioner

s impugn order dated 08.05.2018, whereby, leave to defend application of the petitioners has been dismissed and an eviction order passed.

2.

... RESPONDENTS

had filed the subject eviction petition seeking eviction of the petitioners, on the ground of bonafide necessity under Section 14(1) (e) of the Delhi Rent Control Act, 1958, from a shop No.1146, Basement Floor of property No.1137, Chatta Madan Gopal, Maliwara, Delhi, more particularly as shown in red colour in the site RC.REV. 438/2018 Page 1 of 3 plan annexed with the eviction petition.

3. Learned counsel for the petitioners, under instructions from the petitioners, seeks leave to withdraw the petition.

4.

... Petitioner

No.2 - Mr. Madan Lal son of

... Petitioner

No.1, who is present in Court in person, undertakes that the petitioners shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondents on or before 31.03.2020.

... Petitioner

s further undertake that they shall clear the entire arrears of rent @ Rs.200/- per month and pay the said amount till the time they hand over the peaceful vacant possession of the tenanted premises to the respondents on or before 31.03.2020.

5.

... Petitioner

s further undertake that the petitioners shall clear all water, electricity and other dues/charges in respect of the tenanted premises before the petitioners vacates

the premises on or before 31.03.2020.

... Petitioner

s further undertake that the petitioners shall not sublet, assign or part with the possession of the tenanted premises or any part thereof.

... Petitioner

s further undertakes that the 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.

6. 7. The undertaking is accepted. Learned Counsel for the

... RESPONDENTS

submits that the RC.REV. 438/2018 Page 2 of 3 undertaking is acceptable to the respondents.

8. The Petition is accordingly dismissed as withdrawn.

9. On petitioners filing an affidavit of undertaking, within two weeks in the above terms, execution of the impugned order dated 08.05.2018 shall remain stayed till 31.03.2020.

10. Order Dasti under signatures of the Court Master. SANJEEV SACHDEVA, J
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