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Ram Badan vs.angoori Devi

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SooperKanoon Citation : sooperkanoon.com/1226187

Court : Delhi

Decided On : Oct-22-2019

Appellant : Ram Badan

Respondent : Angoori Devi

Judgement :

$~3 * IN THE HIGH COURT OF DELHI AT NEW DELHI % + Judgment delivered on:

22. 10.2019 RC.REV. 123/2019 & CM APPL. 9431/2019 RAM BADAN ANGOORI DEVI versus .....

... Petitioner
..... Respondent Advocates who appeared in this case: For the

... Petitioner
: Mr. Kamal Mehta, Advocate with petitioner in person. For the Respondent: Mr.Amit Kumar Pandey, Advocate. CORAM:-

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

(ORAL) 1.

... Petitioner

impugns order dated 04.12.2018, whereby the leave to defend of the petitioner has been dismissed and an eviction petition order passed.

2. Subject eviction petition was filed by the respondent 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 room on the first floor of House No.18, Gali No.2, Old Gobind Pura Ext. near Parwana Road, Delhi-110051, more particularly as shown in red RC.REV. 123/2019 Page 1 of 3 colour in the site plan filed before the Rent Controller.

3. Learned 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 he shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 21.10.2020.

... Petitioner
further undertakes that he shall pay a sum of 2,000/- per month as use and occupation charges to the respondent till the time he hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 21.10.2020.

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 21.10.2020.

... Petitioner
further undertakes that petitioner shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. He further undertakes

that he shall not cause any damage to the tenanted premises and shall hand over the peaceful and vacant possession of the tenanted premises in the same condition as it exists today subject to normal wear and tear.

6. 7. The undertaking is accepted. Learned Counsel for the Respondent submits that the undertaking is acceptable to the respondent. RC.REV. 123/2019 Page 2 of 3 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 04.12.2018 shall remain stayed till 21.10.2020.

10. Order Dasti under signatures of the Court Master. SANJEEV SACHDEVA, J OCTOBER22 2019 rk RC.REV. 123/2019 Page 3 of 3

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