

Chanderwati vs.ram Pratap & Anr

Chanderwati vs.ram Pratap & Anr

SooperKanoon Citation : sooperkanoon.com/1226975

Court : Delhi

Decided On : Nov-29-2019

Appellant : Chanderwati

Respondent : Ram Pratap & Anr

Judgement :

\$~15 * IN THE HIGH COURT OF DELHI AT NEW DELHI % + Judgment delivered on:

29. 11.2019 RC.REV. 228/2016 CHANDERWATI versus RAM PRATAP & ANR
.....

... Petitioner

.....

... RESPONDENTS

Advocates who appeared in this case: For the

... Petitioner

: Mr. Jaideep Malik, Advocate with petitioner in person. For the Respondent: Mr. L.S. Solanki, Advocate. CORAM:-

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

(ORAL) CM APPL.36807/2018 (for bringing on record LR's of R-1), CM APPL.36808/2018 (for condonation of delay in filing CM368072018) Learned Counsel for the

... Petitioner

submits that he has no objection to the applications being allowed and the legal heirs of deceased Respondent No.1 being brought on record. In view of the above and for the reasons stated in the applications, they are allowed. Delay in filing CM APPL368072018 is condoned. Applications are allowed and legal heirs are brought in RC.REV. 228/2016 Page 1 of 3 record. RC.REV. 228/2016 & CM APPL.15500/2016 (stay), CM APPL.27477/2016 (stay), CM APPL33915/2018 (for recovery of arrears), 1.

... Petitioner

impugns order dated 03.11.2015, whereby the leave to defend application of the petitioner was dismissed and an eviction order passed.

2. Subject eviction petition was filed by the respondents 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 with common verandah, kitchen and latrine on the first floor and one Kacha room on the roof of the first floor situated in premises bearing No.10489, Bagichi Peerji, Subzi Mandi, Delhi more particularly as shown in red colour in the site plan annexed with the eviction petition.

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 petitioner shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 31.05.2020.

... Petitioner

further undertakes that petitioner shall pay a sum of Rs.5000/- per month as use and occupation charges with effect from 01.11.2019 to the respondent till the time petitioner hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 31.05.2020. RC.REV. 228/2016 Page 2 of 3 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 31.05.2020.

... 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 petitioner 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 undertaking is acceptable to the respondents.

8. 9. Petition is accordingly dismissed as withdrawn. Subject to petitioner filing an affidavit of undertaking in the above terms, within a period of two weeks, execution of the impugned order dated 03.11.2015 shall remain stayed till 31.05.2020.

10. Order Dasti under signatures of the Court Master. SANJEEV SACHDEVA, J
NOVEMBER29 2019 st RC.REV. 228/2016 Page 3 of 3

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com