

% 18.12.2006

Present: Mr.R.K.Singh, Advocate for the Petitioner
with petitioner in person.
Mr.C.P.Wig, Mr.Rajinder Mathur & Ms.Lakshita Sethi,
Advocates for the Respondent.

+ CM (M) 895/2005

* The parties have settled their disputes in terms whereof the petitioner/occupant of the tenanted premises does not want to prosecute the petition. Learned counsel for the petitioner, on instructions from the petitioner, states that the petitioner seeks to withdraw the petition but time may be granted till 30th April, 2007 to hand over the vacant and peaceful possession of the tenanted premises.

The petitioner undertakes to the Court to hand over vacant and peaceful possession of the tenanted premises on or before 30th April, 2007, not to sub-let or part with possession and to pay the rent/damages at the rate of the last paid rent month by month in advance of 7th of each month apart from electricity and water charges. The undertaking given by the petitioner is accepted and the formal undertaking be filed within 10 days with advance copy to learned counsel for the respondent.

List before the Registrar for verification of undertaking on 10th January, 2007.

In view of the petitioner having agreed to withdraw the

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present petition and to hand over vacant and peaceful possession on or before 30th April, 2007 the respondent does not press the claim for damages in separate suits filed by the respondent. There would also be no occasion to prosecute the petition filed by the respondent under Section 14(1)(e) of the Delhi Rent Control Act, 1958. This statement would naturally have effect the moment the possession is handed over by the petitioner to the respondent.

The petition is accordingly dismissed as withdrawn.

December 18, 2006
JK


SANJAY KISHAN KAUL, J.

- Affidavit of undertaking filed