



2025:DHC:1036



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Decision: 17.02.2025

+ **RC.REV. 214/2024 & CM APPL. 2163/2025**

ANITA SHARMA

.....Petitioner

Through: Mr. Shiv Charan Garg & Mr. Imran,
Advocates with Petitioner in person.

versus

VED PRAKASH GUPTA

.....Respondent

Through: Mr. Harshit Aggarwal & Ms. Muskan
Gupta, Advocates with Respondent in
person.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

TARA VITASTA GANJU, J.: (Oral)

1. The Petitioner and Respondent are physically present in Court today.
2. Learned Counsel for the parties submit that the parties have amicably reached a resolution with respect to their *inter se* disputes.
3. Learned Counsel for the Petitioner, on instructions from the Petitioners, submits that the Petitioner needs additional time up to 30.09.2025 to vacate the tenanted premises.
4. Learned Counsel for the Respondent, on instructions from the Respondent, submits that the Respondent is agreeable to allow time up to 30.09.2025, subject to payment of user and occupation charges in the sum of Rs.3,600/- per month from December, 2024 onwards. Learned Counsel for the Petitioner submits that this offer is acceptable to the Petitioner.
5. It is clarified that the payment of rental that has already been made by the Petitioner shall be adjusted by the Respondent against the user and



occupation charges fixed today.

6. In view thereof, let an Undertaking by way of an Affidavit be filed by the Petitioner, within a week undertaking that:

- (i) The Petitioner shall hand over the physical possession of the premises i.e., one room on the ground floor at property bearing No.977/65, Lekhu Nagar, Tri Nagar, Delhi-110035 admeasuring 12.3ft x 7.9ft [hereinafter referred to as “subject premises”];
- (ii) The vacant, physical and peaceful possession of the subject premises will be handed over by the Petitioner to the Respondent on or before 30.09.2025;
- (iii) The use and occupation charges from 01.12.2024 onwards till the date the subject premises is vacated, shall be paid by the Petitioner at the rate of Rs.3,600/- per month, on or before 7th day of each calendar month;
- (iv) The use and occupation charges for the months of December, 2024 and January, 2025 shall be paid by the Petitioner on or before 15.04.2025.
- (v) The use and occupation charges for the month of February, 2025 shall be paid by the Petitioner on or before 25.02.2025.
- (vi) The Petitioner undertakes and confirms that the entire subject premises is under her occupation and control;
- (vii) The Petitioner will pay all the utility bills such as electricity and water and any other dues, for the subject premises till the date of handing over of the vacant, physical and peaceful possession thereof;
- (viii) The Petitioner undertakes that she will not create any third-party rights or part with possession of the subject premises and that she shall not damage the subject premises in any manner whatsoever prior to its vacation;
- (ix) The Petitioner shall remain bound by the aforesaid Undertaking.



2025:DHC:1036



7. An advance copy of the Undertaking shall be served on the Respondent.
8. All payments shall be made into the bank account of the Respondent. The details of the bank account shall be provided by the learned Counsel for the Respondent to the learned Counsel for the Petitioner on his email address within two days.
9. Subject to the Petitioner filing the aforesaid Undertaking before this Court within a week from today, execution of order dated 16.05.2024 passed in RC ARC No. 37/2023 [hereinafter referred to as the “Eviction Order”] shall remain stayed till 30.09.2025.
10. In the event that the Petitioner defaults in complying with the terms of the Undertaking filed, the interim protection granted hereinabove shall automatically stand dissolved and Respondent will be at liberty to take recourse to appropriate proceedings for recovery of possession and for recovery of the use and occupation charges from the Petitioner at market rate for the period from the date of the Eviction Order, in accordance with law.
11. The Petition is accordingly disposed of. The pending Application also stands closed.
12. List the matter for compliance on 17.03.2025 in the Supplementary List.
13. The parties shall act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

FEBRUARY 17, 2025/ ha

[Click here to check corrigendum, if any](#)