

49.

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ RC.REV. 284/2010

UMA JAIN

..... Petitioner

Through: Mr. A.P. Aggarwal with Mr. Y.R. Sharma, Adv.

versus

SWARN DUTT

..... Respondent

Through: Mr. Vinay Bhasin, Sr. Advocate with Mr. Achal Gupta, Adv.

CORAM:

HON'BLE MS. JUSTICE VEENA BIRBAL.

ORDER

% 29.11.2010

Caveat no.309/2010

Since counsel for the caveator has appeared, notice to the caveator is dispensed with. The caveat stands disposed of.

CM No.21256/2010 (exemption)

Exemption as prayed for is allowed subject to just exceptions.

The application stands disposed of.

RC.REV. 284/2010 & CM 21255/2010 (stay)

After some arguments, counsel for the petitioner states that the petitioner is not pressing the petition on merits and prays that petitioner be given some time to vacate the premises in question.

RC.REV. 284/2010

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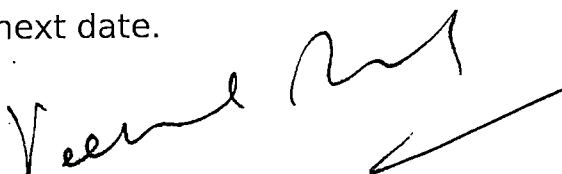
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The counsel for the respondent is present who submits the respondent has no objection if the petitioner is given time to vacate the suit premises till 30.06.2011 and the respondent will not file the execution petition till 30.06.2011.

In view of above statement given by the counsel for parties, the present petition and pending application stand disposed of as not pressed. The petitioner is granted time till 30.06.2011 to vacate the premises in question subject to filing of usual undertaking by the petitioner within two weeks with a copy to the respondent.

Renotify on 23.12.2010. In the meanwhile, the respondent shall not execute the eviction order till the next date of hearing. The parties to appear in person on the next date.


VEENA BIRBAL, J

NOVEMBER 29, 2010
srb


Undertaking filed

\$~17

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

+ RC.REV. 284/2010

UMA JAIN

..... Petitioner

Through: Ms.Anju Lal, Advocate, along with
husband of the petitioner.

versus

SWARN DUTT

..... Respondent

Through: Mr.Achal Gupta, Advocate

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **22.01.2013**

CM No.5332/2012

This application was moved by the respondent for issuing the notice to the petitioner on the fresh address. Since learned counsel for the petitioner has put in appearance, application stands disposed of.

C.M.No.2820/2012 (for direction) in RC Rev. No.284/2010

This is an application filed by the respondent seeking directions to the petitioner to furnish the details of the deposit of arrears of rent deposited by the petitioner as mentioned in order dated 23.12.2010.

Perusal of the record shows that when the revision petition i.e. RC Rev. No.284/2010 came up for hearing on 29.11.2010, the petitioner limited his prayer to the extent that he be given some time to vacate the premises in question.

On that date, the caveator/respondent also appeared before the Court and submitted that he had no objection to the petitioner being given time till 30.06.2011 to vacate the premises and that he will not file the execution petition till 30.06.2011.

In view of the submissions made by the parties before the Court, the petition was disposed of and petitioner was granted time till 30.06.2011 to vacate the premises in question subject to filing of usual undertaking by the petitioner within two weeks with copy to respondent and parties were directed to appear on 23.12.2010.

On 23.12.2010 an undertaking was filed by the petitioner, copy of which was also supplied to the respondent. On that date, the petitioner also handed over to the respondent two bankers cheques amounting to Rs.12000/- each towards the rent from July, 2010 to 30.06.2011. It was submitted by the learned counsel for respondent that the arrears of rent prior to July, 2010 had already been deposited in the Court and learned counsel for the petitioner submitted that he shall supply the details of the same to learned counsel for the respondent within a week's time.

Since the petitioner failed to supply the said details to the respondent, the present application i.e. CM No. 2820/2012 has been filed by the respondent.

Today learned counsel for the petitioner is present along with husband of the petitioner, who has brought three Demand Drafts drawn on UCO Bank total amounting to Rs.1,30,000/- (photocopies of the same are placed on record) in respect of outstanding amount towards arrears of rent.

Respondent is not present today. Learned counsel for the respondent submits that the respondent is unwell and unable to come to the Court today.

Learned counsel for the respondent received the three demands drafts from the husband of the petitioner against receipt on the photocopy of the demand drafts itself mentioning that now nothing is due from the petitioner.

Since the entire payment has been made by the husband of the petitioner to the respondent and nothing is outstanding against the petitioner, no further direction is required in the matter.

The C.M.No.2820/2012 stands disposed of.



PRATIBHA RANI, J

JANUARY 22, 2013

'mr/st' J