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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO(OS) 388/2015**

MILLENNIUM PLAZA LIMITED

..... Appellant

Through : Mr Atul Sharma with Mr Sarojanand Jha,
Mr Abhishek Sharma, Mr Yash Srivastava and
Ms S. Sood

versus

IP SUPPORT SERVICES (INDIA) PRIVATE LIMITED & ANR Respondents

Through : Mr Sudhir Chandra, Sr Advocate with
Mr Peeyoosh Kalra, Mr Gaurav Mukherjee and
Mr Amol Dixit

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **21.07.2015**

CAV 745-746/2015

The learned counsel for the respondents /caveators is present.

The caveats stand discharged.

CM Nos. 12780-12802/2015

Allowed subject to all just exceptions.

FAO(OS) 388/2015 & CM 12799/2015

This appeal is directed against the order dated 18.07.2015 passed by a learned Single Judge of this Court. We have heard the learned counsel for the parties. The counsel for the parties are agreed that the respondents shall, as an interim measure, continue to pay the maintenance charges to the appellant at the rate of Rs 12/- per square foot. The difference between Rs 18.75 per square foot, which the appellant seeks to charge from the respondents and the rate of Rs 12/- per square foot, which the respondents admit to pay, amounting to Rs 6.75 per square foot shall be deposited with the Registrar General of this Court by the respondents each month, including for the

month of July. The amount so deposited shall be placed in a fixed deposit, in the first instance, for a period of 91 days to be renewed from time to time till further orders which may be passed by the learned Single Judge. The appellant would be at liberty to move an appropriate application before the learned Single Judge for withdrawal of the said amount. The respondents would be at liberty to oppose that application. This order has been passed by agreement of the counsel for the parties only as an interim measure and without prejudice to the rights and contentions of the parties, including the objections with regard to jurisdiction as also the issue with regard to the non-service of notice when the appellant had lodged a caveat with this Court and allegedly served a copy on the respondents.

The matter will now be placed before the learned Single Judge, as directed, on 05.08.2015. It shall be open to the learned Single Judge to pass any order which she may deem fit in the circumstances, including a variation of this order.

In the meanwhile, the parties have evinced hope for a settlement and, therefore, we direct them to appear before the Delhi High Court Mediation and Conciliation Centre on 23.07.2015 at 3:30 pm. Mr J. P. Sengh, Senior Advocate or Mr Sudhanshu Batra, Senior Advocate, whoever is available, may be appointed as the mediator.

The appeal stands disposed of.

Dasti under the signature of the Court Master.

BADAR DURREZ AHMED, J

**JULY 21, 2015
SR**

SANJEEV SACHDEVA, J