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

+ RFA 444/2016

MALKEET SINGH

..... Appellant

Through: Mr. Anil Sharma, Advocate

versus

MEHINGA SINGH

..... Respondent

Through: Mr. V.P. Singh Bidhuri, Advocate

**CORAM:**

**HON'BLE MR. JUSTICE SIDDHARTH MRIDUL**

**ORDER**

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**24.08.2016**

**CM APPL.24740/2016 (Exemption)**

Exemption granted subject to all just exceptions.

The application is disposed of accordingly.

**CM APPL.24739/2016 (Condonation of Delay in Refiling)**

The present application seeks condonation of 10 days in refiling the accompanying appeal.

Notice.

Mr. V.P. Singh Bidhuri, learned counsel accepts notice on behalf of the non-applicant/respondent and fairly does not oppose this application.

In view of the foregoing and for the reasons stated in the application, which are duly supported by an affidavit, the same is allowed. The delay of 10 days in refiling the present application is condoned.

The application is disposed of accordingly.

**RFA 444/2016 & CM APPL.24738/2016 (Stay)**

The present appeal assails the judgment and decree dated 17.02.2016 passed by ADJ-01, Saket Courts, Delhi in CS No.639/11, titled "*Mehinga Singh*

*vs. Malkeet Singh*”, whereby the said suit for possession filed by the respondent/father herein has been decreed against the appellant/son.

Learned counsel appearing on behalf of the appellant, on instructions from the latter, who is present in person in Court today, states that the latter does not wish to press this appeal and shall vacate the subject property, on or before 30.09.2016.

The appellant is directed to file an undertaking on affidavit in this behalf, before this Court, within one week from today.

Subject to the above, the respondent is directed not to execute the judgment and decree, impugned herein, before 30.09.2016.

With the above directions, the appeal is disposed of.

**SIDDHARTH MRIDUL, J**

**AUGUST 24, 2016**  
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