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

+ **RSA 188/2016 and C.M. Appl. No. 25909/2016 (for stay)**

M/S FRANCES MODERN PUBLIC SCHOOL
& ALLEN COMPUTER ACADEMY & ANR Appellants
Through: Mr. Sunil Dutt Dixit, Advocate.

versus

RAM MEHAR SHARMA Respondent

CORAM:
HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER
22.07.2016

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1. This Regular Second Appeal is filed by the tenants against the concurrent judgments of the courts below, passed after trial in the suit, directing eviction of the appellants/tenants from the suit premises.

2. The appeal was argued at length. At the stage of dictation of judgment dismissing the appeal, inasmuch as no substantial question of law arises and in fact no question of law also arises, because there cannot be a legal claim of the appellants/defendants of a lease of 18 years by an unregistered document in the face of Sections 17(1)(b) and (d) of the Registration Act, 1908 read with Section 107 of the Transfer of Property Act, 1882, counsel for the appellants on instructions from Sh. S.K. Singh Principal of the school states that the appeal is not pressed on merits but the appellants who are running

a school be granted time to vacate the suit premises by 30.4.2017 when the academic session in the school will end and till July, 2016 the appellants will pay mesne profits as per the judgments of the courts below and from 1.8.2016 appellants will pay a sum of Rs.20,000/- per month till the appellants vacate the suit premises on or before 30.4.2017. Appellants/defendants will also clear all the charges towards electricity, water, etc., of the suit premises till the appellants occupy the suit property.

3. Subject to the appellants filing affidavits of undertakings of their authorised officials within a period of two weeks from today in terms of the present order, appellants are granted time to vacate the suit premises on or before 30.4.2017.

4. The appeal is accordingly disposed of.

5. A copy of this order be given *dasti* under the signature of the Court Master.

VALMIKI J. MEHTA, J

JULY 22, 2016

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