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

+ RSA 244/2016 and C.M. Nos.32169/2016 (stay) and 32170/2016
(exemption)

DEEPAK @ KALU & ORS

..... Appellants

Through: Mr. Yudhvair Singh Chauhan,
Advocate with Mr. Parveen Kumar,
Advocate.

versus

SANGEETA

..... Respondent

Through: Mr. S.S. Chhillar, Advocate.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **20.10.2016**

1. On 2.9.2016 a limited notice was issued in this appeal for grant of time to the appellants/defendants for vacating the suit premises upto 31.12.2017. Counsel appears for the respondent/plaintiff and agrees to such time being given subject, however, to the appellants/defendants clearing the arrears within three months and also continuing to pay the use and occupation charges as decreed by the trial court for month by month thereafter till appellants remain in occupation of the suit premises.

2. Accordingly, this appeal is disposed of by the consent order

that appellants will get time to vacate the suit premises till 31.12.2017 provided appellants clear the entire arrears due and payable as per the judgment of the trial court dated 26.9.2015 within a period of three months from today and will continue to pay thereafter month by month use and occupation charges till the appellants stay in the suit premises. Appellants will also clear all the charges towards electricity and water payable with respect to suit premises till the time appellants are in possession of the suit premises.

3. Let the appellants file affidavits of undertakings in terms of the present order within three weeks and on the appellants filing the affidavits of undertakings and complying with the terms of the same, appellants will not be evicted from the suit premises till 31.12.2017.

4. Appeal is accordingly disposed of in terms of aforesaid consent order.

VALMIKI J. MEHTA, J

OCTOBER 20, 2016

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