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

+ **FAO(OS) 337/2016 & CM 43654/2016 (delay) & 43655/2016 (exemption)**

D P SETH

..... Appellant

Through : Mr Sandeep Sharma with Mr Aditya
Vashisht and Ms Risha Mittal

versus

ASHOK JAISINGH & ANR

..... Respondents

Through : None

CORAM:

HON'BLE MR JUSTICE BADAR DURREZ AHMED

HON'BLE MR JUSTICE JAYANT NATH

ORDER

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25.11.2016

There is a delay of 23 days in filing this appeal. Apart from the delay, there is no merit in the appeal either. The appellant had given a clear undertaking pursuant to a consent order dated 10.07.2015 in Arbitration Application 17/2015 that the appellant would vacate the premises on or before 31.12.2016. The impugned order has been passed on an application, being IA 9797/2016, seeking extension of time for vacating the premises in question.

The learned Single Judge by virtue of the impugned order has noted that the respondents herein were not agreeable to the grant of any further extension. Since the order dated 10.07.2015 was a consent order and the appellant herein had given a clear undertaking to the effect that the appellant would vacate the premises in question on or before 31.12.2016, the learned Single Judge dismissed the said application for extension of time. We do not find any infirmity in the said order.

Thus, both on the ground of delay, for which there is no sufficient cause, and on merits, the present appeal is dismissed.

BADAR DURREZ AHMED, J

JAYANT NATH, J

NOVEMBER 25, 2016
SR