

\$~6

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

+ RFA 256/2016

RAVI & ANR

..... Appellants

Through: Mr. Arjun Chawla, Advocate.

versus

RENU KHANNA

..... Respondent

Through: Mr. P.K. Rawal, Mr. Tarun Agarwal,
Advocates.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

% **09.12.2016**

C.M. No. 24906/2016 (by the respondent u/S 151 CPC)

1. The present application has been filed by the appellant in a disposed of appeal praying *inter alia* for permission to proceed against the appellants, as per law.
2. Learned counsel for the respondent states that the respondent has been compelled to file the present application as the appellants have failed to comply with the consent order dated 03.5.2016. He submits that the appellants have not tendered a sum of Rs.75,000/- towards the use and occupation charges, a sum of Rs.3,850/- towards maintenance charges and a sum of Rs.8190/- towards electricity charges of the subject premises.

3. Learned counsel for the non-applicant/appellants enters appearance and disputes the said submission. He states that his clients had made several efforts to send the drafts of rent through post to the respondent, but all the letters sent by registered AD post, have been returned by the postal authorities by noting that the respondent was not available or with a report of refusal. He states that the drafts for the use and occupation charges are now stale and his clients shall have to furnish a fresh draft and/or revalidate the earlier drafts for a sum of Rs.75,000/-. He states that the remaining two amounts mentioned above, shall be tendered to the respondent, through counsel, within one week.

4. In view of the submission made herein above, the present application is disposed of.

5. In the event the appellant fails to pay the aforesaid amount to the respondent, through counsel, within one week from today, the respondent shall be entitled to seek her remedies against the appellant, as already spelt out in the order dated 3.5.2016.

HIMA KOHLI, J

DECEMBER 09, 2016

ap