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

+ **RFA 201/2017 & CM 6506/2017 and Caveat No.156/2017**

JYOTI ANAND

..... Appellant

Through: Mr. Vineet Chadha and
Mr. Dhruv Yadav, Advocates with appellant and
her son in person.

versus

NARESH CHANDER TANNAN

..... Respondent

Through: Mr. Sat Pal Sharma and
Mr. Neeraj Sharma, Advocates with respondent in
person.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

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07.03.2017

1. Pursuant to the order dated 22.2.2017, the respondent is present along with his counsel.
2. At joint request, the matter was passed over for the parties to interact with each other.
3. On pass over, learned counsels state that the parties who are related to each other, have been able to negotiate a settlement whereunder, the appellant has agreed to hand over the vacant peaceful possession of the suit

premises to the respondent on or before 31.5.2017 and in lieu thereof the respondent has agreed not to claim any amount from her towards the use and occupation charges in respect of the subject premises in terms of the impugned judgment, till 31.5.2017. Before handing over possession of the suit premises, the appellant shall clear all the water and electricity dues and hand over the NOCs in that regard to the respondent on the date of handing over vacant peaceful possession of the suit premises. The appellant and her son, who are present in the court undertake that neither they, nor their family members shall file any application for seeking extension of time to vacate the suit premises.

4. It has been agreed that in case of any default on the part of the appellant in handing over the vacant peaceful possession of the suit premises to the respondent within the agreed timeline, the respondent shall be at liberty to pursue the execution proceedings pending before the trial court. In the event of breach of the terms of the settlement, apart from pursuing the execution proceedings, the respondents shall be entitled to initiate the contempt proceedings against the appellant. The consequences of committing a breach of the consent order have been explained to the appellant and her son in clear terms.

5. The appellant, her son and other family members shall file their affidavits within one week undertaking *inter alia* to abide by the terms of settlement recorded above with copies furnished to the other side.

6. In view of the aforesaid settlement, the present appeal is disposed of along with pending application and the caveat, as not pressed.

7. In token of acceptance of the terms and conditions of the settlement as recorded above, the appellant and her counsel and the respondent and his counsel have affixed their signatures on the margin of the order sheet.
8. File be consigned to record room.

HIMA KOHLI, J

MARCH 07, 2017
ap/sk

