

\$~31

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

+ RSA 119/2017 and C.M. Nos.14900/2017 (stay) & 14901/2017
(exemption)

M/S NAGPUR TIMBER STORE Appellant
Through: Dr. Sarbjit Sharma, Advocate.

versus

UPKAR SINGH KOHLI Respondent
Through

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **21.04.2017**

1. After arguments, counsel for the appellant has taken instructions from the partner of the appellant Sh. Satish Juneja, that the appeal is not pressed but the appellant be given time to vacate the suit premises till 30.6.2019.

2. Considering the facts of the present case where the premises were let out for commercial purposes, and there are disputes as to whether what was let out was only the land, and therefore, not covered under the Delhi Rent Control Act, 1958 or there was a construction whereby the premises were covered under the Delhi Rent Control Act, accordingly, I

deem it fit that appellant be granted time to vacate the suit premises on or before 30.6.2019. The appellant will file in this Court an undertaking of all its partners to vacate the suit premises on or before 30.6.2019 and also to clear all arrears of rent/mesne profits and any other charges which are payable with respect to the suit premises. The arrears if any in this regard be paid in terms of the judgments of the courts below within two months from today and future payments month by month be made by the 30th of each month.

3. Subject to the appellant filing the undertaking, as stated above, and complying with the terms of the same, appellant will not be evicted from the suit premises till 30.6.2019 in execution of the impugned judgments and decrees.

4. The appeal is disposed of in terms of aforesaid observations.

VALMIKI J. MEHTA, J

APRIL 21, 2017
Ne

RSA No.119/2017

page 2 of 2