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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 943/2016

SUNIT MOHAN

Through

..... Petitioner

Mr. Praneet Pranav with Mr. Paritosh
Anil, Advocates

versus

KRISHNA MANCHANDA

Through

..... Respondent

Ms. Joymoti Mize, Advocate

CORAM:**HON'BLE MR. JUSTICE MANMOHAN****ORDER**

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20.04.2017

Present contempt petition has been filed alleging wilful disobedience of the undertaking dated 12th February, 2015 filed by the respondent before this Court and taken on record vide order dated 25th February, 2015 read with the order dated 25th July, 2014 passed in R.C. Revision No. 376/2013 by this Court.

While it is the case of the petitioner that occupation charges have not been paid for three months, it the respondent's case that occupation charges are due and payable only for two months. The petitioner also claims compensation on account of damage that is stated to have been caused to the property in question by the respondent.

Learned counsel for respondent vehemently denies the allegation that respondent has caused any damage to the property. She further states that though respondent is about 80 years old, yet she had voluntarily vacated the premises.

This Court finds that there is no document on record to show that on which date the petitioner had taken over the possession of the premises in question. In contempt proceedings, it is also not possible to decide the amount of compensation on account of alleged damage.

As the respondent admits that the outstanding occupation charges are payable for two months, present contempt petition is disposed of with a direction to respondent to pay Rs. 8000/- as occupation charges for two months along with costs of Rs. 10,000/- to the petitioner within one week. This Court clarifies that it has taken a lenient view in the matter as the respondent is stated to be a lady more than 80 years old.

However, petitioner is given liberty to agitate its grievances with regard to compensation as well as the outstanding occupation charges in appropriate legal proceedings. It is clarified that this Court has not expressed any opinion on the merits of the said controversy. The rights and contentions of all parties left open.

MANMOHAN, J

APRIL 20, 2017

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