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

+ RSA 194/2015

MS TOSSIF AKHTAR Appellant
Through: Mr. K.K.Gautam, Adv.

versus

MR ZIAUL ISLAM @ BITTAN Respondent
Through: Mr. Ankit Miglani and Mr. Utkarsh
Jaimini, Advocates.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **03.05.2017**

1. After arguments, this appeal is disposed of with the consent order that this second appeal is not pressed and the suit for specific performance will stand dismissed, however, in case the defendant/respondent in future at any time would like to sell the suit property, then defendant will offer the same to the plaintiff and purchase price will be the market price which will be prevalent as on the date of sale in future by the respondent/defendant. Putting it in another words, in case the respondent/defendant wants at any time to sell the property in future then the appellant will have a right of pre-emption, of course in accordance with law.
2. The appeal is disposed of with the aforesaid observations.

VALMIKI J. MEHTA, J

MAY 03, 2017/ib