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

+ RSA 252/2016

G GIRISH KUMAR

..... Appellant

Through: Mr. Lalit Gupta, Ms. Vandana, Mr.
Devesh, and Mr. Deepak, Advocates.

versus

ANIL KUMAR MALHOTRA & ORS

..... Respondents

Through: Mr. Jagjit Singh, Advocate.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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02.05.2017

C.M.No. 16856/2017 (filed by the appellant)

This application is disposed of as not pressed.

RSA 252/2016

1. Both the parties agree and accordingly the appeal is disposed of in terms of the consent orders passed on 29.11.2016 and 14.12.2016 passed by a learned Single Judge of this Court and which orders read as under:-

Order dated 29.11.2016

“1. After the parties and their counsel have been heard on formulation of substantial question of law, the appellant wants to come out with a proposal so that the problem in the basement can be rectified with the cooperation of the respondent. For that appellant is ready to bear the entire expenses and also to engage an expert agency to carry out the necessary task.

2. The respondent submits that if the job is carried out as suggested by the appellant by a neutral agency, necessary cooperation will be extended by him by providing access to that agency to carry out the necessary repairs.
3. The appellant seeks two weeks time to come out with a concrete proposal to solve the seepage problem through some expert agency at his expenses.
4. Renotify for 14th December, 2016.

Order dated 14.12.2016

- “1. Learned counsel on behalf of the appellant submits that the proposal cannot be submitted as the agency contacted for the said purpose has given the time after December 24, 2016 to inspect and give suggestions/proposal.
 2. Learned counsel for the appellant is directed to do the needful and supply the copy of the proposal in advance to the respondent at his residence so that on the next date of hearing both the parties can make their respective submissions about the ways and means to be adopted to deal with the problem of seepage.
 3. Re-notify for February 27, 2017.”
2. It is however further agreed that both the parties will ensure that complete cooperation is there and none of the parties will in any manner cause any action by which any act of the appellant for repairing of his property is in any manner hampered. Of course, appellant will take all reasonable steps to ensure that the repair work is completed as expeditiously

as possible.

3. This RSA is accordingly disposed of in terms of the aforesaid consent order.

VALMIKI J. MEHTA, J

MAY 02, 2017
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