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

+ **RFA 645/2017**

MEETU MANCHANDA

..... Appellant

Through: Mr. R.K.Burman, Advocate.

versus

RAJ RANI

..... Respondent

Through: Mr. Jai Mohan, Advocate.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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25.07.2017

1. After arguments, learned counsel for the appellant, after taking instructions from the husband of the appellant, states that this appeal be disposed of as not pressed but appellant be given time to vacate the suit premises till 31.10.2017.

2. It is noted that as per the lease deed between the parties dated 4.8.2014, lease shall be determined by either of the parties by giving notice of two months in terms of para 12 of the lease deed and the appellant has already overstayed after termination of the lease from 1.2.2016 till today.

3. Accordingly, this appeal is disposed of as not pressed subject to giving time to the appellant to vacate and handover peaceful possession of

the suit premises to the respondent/plaintiff on or before 31.10.2017 and filing in this Court an affidavit of undertaking to vacate the suit premises on or before 31.10.2017 and continue to pay the charges towards electricity, water etc as payable for the suit premises till it is vacated. Appellant also undertakes to clear the monthly admitted rent till the period the appellant occupies the suit premises, subject to the observations that the issue as regards the mesne profits is pending disposal before the trial court and which decision will bind the parties with respect to the mesne profits payable.

4. The appeal is disposed of in terms of the aforesaid order, subject to the appellant filing the undertaking and complying with the terms of the same. Parties are left to bear their own costs.

VALMIKI J. MEHTA, J

JULY 25, 2017

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