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

+ RSA 390/2016

RAJENDER CHAUDHARY

..... Appellant

Through: Mr.Sanjay Goswami &
Mr.R.K.Mishra, Advocates with
appellant in person.

versus

SHAKUNTLA GULATI

..... Respondent

Through: Mr.Baldev Singh & Mr.Satish
Chandra Pathak, Advocates with
respondent in person.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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03.01.2017

RSA 390/2016

1. Pursuant to the issuance of limited notice to the extent that appellant undertakes to vacate the suit property within the time mutually agreed, counsel as above appeared on behalf of the respondent.
2. After some deliberations, the parties have agreed that the appellant will vacate the suit premises after nine months i.e. by 30th September, 2017. The appellant has also agreed to pay damages/mesne profits @ ₹4500/- per month w.e.f. 01.03.2017 to 30.09.2017 as ascertained by the First Appellate Court vide judgment and decree dated 03.10.2016 and also to pay electricity and water charges upto 30.09.2017. The appellant further agrees to clear the outstanding arrears as per the judgment and decree of the courts below within two months i.e. by 28th February, 2017.

3. The respondent, who is present in person, agrees to the above terms and conditions but submits that in case any of the above conditions is violated, she be given the right to get the decree executed even prior to 30.09.2017.
4. Learned counsel for the appellant submits that appellant shall abide by all the terms and conditions orally deliberated and agreed today and shall furnish an affidavit to the above effect today itself.
5. The matter is passed over to enable the appellant to file his affidavit.

PRATIBHA RANI, J.

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Present : As above.

6. In view of the understanding arrived at between the parties recorded in the proceedings today, the appellant has filed his affidavit with an endorsement thereon by the respondent agreeing to the terms and conditions settled today before the Court.
7. The appeal is disposed of in terms of the settlement recorded in the affidavit filed by the appellant and the respondent agreeing to extend the time by nine months to enable the appellant to vacate the suit property on the terms and conditions incorporated in the affidavit.
8. The parties shall abide by the terms and conditions as mentioned in the affidavit.

CM No.47953/2016 (Stay)

Dismissed as infructuous.

PRATIBHA RANI, J.

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