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

+ RFA 793/2017

ASHWANI JAIN

..... Appellant

Through: Mr. Avinash Kr. Lakhanpal, Adv.

versus

UMESH CHANDRA JAIN

..... Respondent

Through: Mr. Alok Kumar, Mr. Neeraj Gupta,
Mr. Parth Awasthi, Mr. Amit Kr.
Singh and Mr. Abhishek Paruthi,
Advocates

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% 15.09.2017

CAV 818/2017

Since counsel for the caveator has entered appearance, the caveat stands discharged.

C.M. Appl. No. 33923/2017 (for exemption)

Allowed, subject to all just exceptions.

RFA 793/2017 and CM Appls. 33924/2017 (U/O 41 R 27 CPC, for placing documents on record) 33925/2017 (for stay)

1. After arguments, this appeal is disposed of as not pressed as learned counsel for the appellant, on instructions from the appellant who is present in person, says that since this is a dispute between the son/appellant and the father/respondent, therefore, sufficient time be granted to the appellant to vacate the premises.

2. Counsel for the respondent in principle could not have any opposition to the prayer made on behalf of appellant, and therefore the appeal is disposed of as not pressed, however, time is granted to the appellant to vacate the suit premises on or before 31.01.2020 subject to the appellant clearing all charges towards water, electricity etc., as payable to the local authorities.

3. Let the appellant file an affidavit of undertaking in this Court in terms of the present order within two weeks and on filing of the undertaking and complying with the terms of the same, the appellant will not be evicted from the suit premises on or before 31.01.2020.

VALMIKI J. MEHTA, J

SEPTEMBER 15, 2017
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