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

+ RFA 66/2018

RASHMI RAMCHANDANI

..... Appellant

Through

versus

AMAR RANJAN PAUL & ANR

..... Respondent

Through: Mr. H. Banerjee, Advocate.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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11.07.2018

CM No. 27081/2018 (delay of 08 days in re-filing the application)

1. For the reasons stated in the application, delay of 08 days in re-filing the application is condoned, subject to just exceptions.

CM stands disposed of.

CM No. 27080/2018 (for vacating the court order dt. 6.3.2018 filed by the respondent)

2. This appeal was disposed of in terms of a compromise order dated 6.3.2018. Vide order dated 6.3.2018 appellant had to file the requisite affidavit of undertaking. Affidavit of undertaking as filed was defective, and therefore, was rejected by order dated 10.4.2018 allowing filing of a fresh affidavit of undertaking. This fresh affidavit of undertaking has not

been filed, and therefore, respondent has filed the present application for vacating the time granted to the appellant by the order dated 6.3.2018.

3. Really, there is no need to pass any order in this application because the order dated 6.3.2018 is conditional and since the necessary condition of filing of an affidavit of undertaking has not been complied with by the appellant, appellant therefore will not be entitled to benefit of time to vacate the premises as granted by the order dated 6.3.2018.

4. CM is therefore disposed of reserving liberty to the respondent to execute the subject judgment and decree.

VALMIKI J. MEHTA, J

JULY 11, 2018

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