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

+ RFA 77/2018 & CM No. 2971/2018 (stay)

M/S SAI JYOTI INFRATECH PVT LTD Appellant

Through: Mr. Rohit Modi, Advocate.
(9810243904)

versus

SHYAM LAL Respondent

Through: Mr. Amit Minocha and Mr. Rakesh
Sharma, Advocates (9810158760)

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **21.08.2018**

1. After arguments, this appeal is disposed of with the consent order that the impugned judgment dated 17.10.2017 is set aside to the limited extent that the specific performance suit will not be pursued by the appellant/plaintiff but the suit will now only be pursued with respect to the claim of the monetary damages as claimed by the appellant/plaintiff. Of course, this Court has not observed one way or the other for or against any of the parties with respect to grant or denial of damages, and all aspects of facts and law will be decided by the trial court at the stage of final arguments in the suit, and after parties have led evidence.

2. Parties to appear before the District and Sessions Judge, West District, Dwarka Courts, Delhi on 27.9.2018 and the District and Sessions Judge will now mark the suit for disposal to a competent court in accordance with law and observations made in the present order.

VALMIKI J. MEHTA, J

AUGUST 21, 2018

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