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

+ RFA 219/2018 & CM Nos. 8030/2018 (stay) 8031/2018 (exemption)

POONAM

..... Appellant

Through: Mr. Yogesh Lakra, Advocate.

versus

USHA MITTAL

..... Respondent

Through: Mr. Amit Sharma, Mr. Dwapayan Gupta and Mr. Rajesh Gupta, Advocates.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **28.02.2018**

1. After arguments, this appeal is disposed of with the consent order that the appellant will vacate the suit premises on or before 30.4.2018 and this time is granted subject to the appellant clearing arrears of rent at the admitted rate of Rs.21,000/- per month w.e.f. 15.5.2016. Arrears will be cleared positively before 15.3.2018 and an undertaking in this behalf of the appellant is given through the counsel for the appellant.

2. It is also agreed that the impugned judgment which grants mesne profits is modified to the extent of the mesne profits granted will be the mesne profits at the admitted rate of rent at Rs.21,000/- per month.

Appellant will also clear all charges towards electricity, water etc as payable for the suit premises till the appellant stays in the suit premises.

3. Let the appellant file an affidavit of undertaking in this Court in terms of the present order within one week from today and on the appellant filing the undertaking and complying with the terms of the same, appellant will be entitled to stay in the suit premises till 30.4.2018.

4. Appeal is accordingly disposed of in terms of the aforesaid observations.

VALMIKI J. MEHTA, J

FEBRUARY 28, 2018

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