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IN THE HIGH COURT OF DELHI AT NEW DELHI

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RFA 209/2014

NEELAM SANJAY & ANR

..... Appellants

Through: Mr. Sajan K.Singh with
Mr. Hem Kumar, Advs.
(Mobile No.9810810483).

versus

SANOTSH & ANR

..... Respondents

Through: Mr. Harish Kumar Garg with
Mr. Surender Siwal &
Ms. Payal Agrawal, Advs. for R-1.
(Mobile No.9811013499).

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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04.12.2018

1. After arguments, and as agreed, the appeal is disposed of as not pressed, and therefore impugned judgment and decree dated 10.3.2014 passed by the Court of Vinod Yadav, ADJ-I, South-West District, Dwarka Courts, New Delhi in the case titled as ***Smt. Santosh vs. Smt. Anupama & Ors.*** (Civil Suit No.1167/2012) will stand, however, subject to the modification that the respondent no.1/plaintiff agrees that the claim under the money decree against the appellants/defendants is waived, subject to the condition that the appellants/defendants will vacate the suit premises on or before

31.05.2019.

2. Accordingly, this appeal is disposed of in terms of the aforesaid consent order. The appellants/defendants will file affidavits of undertakings in terms of the present order within a period of one week from today including noting in the affidavits of undertakings that appellants/defendants would clear all charges towards electricity, water, etc. as payable for the suit premises till the time the appellants/defendants remain in possession of the suit premises.

3. Appeal is accordingly disposed of.

4. It is also agreed that another suit being Suit No.500/2018 titled as *Neelam Sanjay vs. Virender Kumar & Anr.* which has been filed by the appellants/defendants, seeking cancellation of documentation in favour of the respondent no.1/plaintiff and which is presently pending in the Court of Sh.S.H.Jaggi, ADJ, Dwarka Courts, New Delhi, would be withdrawn by the appellants/defendants on the next date of hearing fixed before the Court of Sh.S.H.Jaggi, ADJ, Dwarka Courts, New Delhi.

VALMIKI J. MEHTA, J

DECEMBER 04, 2018
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