Special Bench

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

\+ CONT. APP.(C) 2/2017 & CM Nos. 9830/2017 & 20555/2017

DEVEN JUNEJA ..... Appellant

Through Mr. J.K. Bhola, Advocate alongwith appellant in person.

versus

RIDHIMA JUNEJA ..... Respondent

Through Mr. Ujjwal Jain, Advocate alongwith respondent in person.

CORAM:
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MS. JUSTICE PRATHIBA M. SINGH

<u>O R D E R</u>

% 27.07.2018

The respondent, who is present in person alongwith her counsel, states that she will be signing the second motion and the same would be filed within a period of fifteen days.

2. It is pointed out that the East Delhi Municipal Corporation has raised a claim with regard to property tax dues in respect of property bearing No. 633, IFC, Pocket-C, Ghazipur, Delhi, which has been transferred by the appellant to the respondent by way of a gift deed.

3. The appellant will deposit a sum of Rs.5 lacs in the name of Registrar General of this Court, which will be converted into an FDR initially for a period of six months. The FDR would be renewed from time to time. The

appellant will file an undertaking in form of an affidavit stating that he would clear and pay all property tax dues in respect of the Ghazipur property upto and till the date of execution of the gift deed on 13th February, 2018. Property tax after 13th February, 2018 would be payable by the respondent. Rs.5 lacs and the aforesaid undertaking in form of an affidavit will be filed within a period of ten days from today. Details of the said deposit and the undertaking in form of an affidavit will be furnished to the counsel for the respondent. Property tax dues, if payable, for the period prior to 13th February, 2018 would be paid from Rs.5 lacs and interest received. Balance unpaid amount would be paid by the appellant as per the undertaking. We clarify that the undertaking being given by the appellant is to the Court and in case of non-compliance, contempt of court proceedings will be initiated. The respondent would be entitled to file an application for payment of property tax from the amount deposited and in case of shortfall, payment by the appellant in terms of the undertaking.

4. The respondent, who is present in person, states that she will fully cooperate and wants to end the litigation. She states that she has already withdrawn cases under the Domestic Violence Act.

5. The contempt proceedings are disposed of. However, in case of difficulty, liberty is granted to the parties to file an application.

DASTI.

SANJIV KHANNA, J.

PRATHIBA M. SINGH, J.

JULY 27, 2018/VKR