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

+ RFA 370/2018 and C.M. Nos.18117/2018(under Order 41 Rules 25 & 27 CPC), 18118/2018 (stay) & 18119/2018(exemption)

RAKESH GUPTA

..... Appellant

Through: Ms. Kirti Parmar, Advocate with Mr.
Abhishek Parmar, Advocate.

versus

MADHU HALDAR

..... Respondent

Through

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **04.05.2018**

1. After arguments, and at the stage of dictation of the judgment for dismissing of this appeal filed by the tenant, counsel for the appellant states that appeal be disposed of as not pressed. Ordered accordingly.

2. It is noted that it is an undisputed fact on record that rate of rent is more than Rs.3,500/- per month whereby the suit premises will be outside the protection of Delhi Rent Control Act, 1958 and the only dispute was whether the appellant is the tenant or his wife was the tenant and the trial court has relied upon the lease deed proved by the respondent/plaintiff/landlord to hold that the appellant was the tenant.

3. Appeal is accordingly disposed of as not pressed.
4. In case the appellant seeks time to vacate the suit premises, then, the executing court in accordance with law will consider sympathetically a short reasonable time to enable the appellant to vacate the suit premises.

VALMIKI J. MEHTA, J

MAY 04, 2018

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