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

+ RFA 518/2018

RITU SAXENA

..... Appellant

Through: Mr. Mandeep Singh Vinaik, Advocate
with Ms. Anjali Sharma, Advocate.

versus

J.S GROVER & ANR

..... Respondents

Through: Mr. J.R. Bajaj, Advocate.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **01.08.2018**

C.M. No.30631/201(exemption)

1. Exemption allowed subject to just exceptions.

C.M. stands disposed of.

C.M. No.30630/2018 (for amendment by respondents)

2. This application filed by the respondents mentions some factual errors in para 16 of the judgment passed by this Court on 17.7.2018.

3. The first error is that suit for possession which was filed by the respondents was not against the appellant/plaintiff but was against the company in which appellant/plaintiff was the employee and the company had taken the lease of the suit premises for the benefit of the

appellant/plaintiff. I agree that this is an error because the suit filed for possession by the respondents was not against the appellant/plaintiff as noted in the first line of para 16.

4. The second error pointed out is that in para 16 it is noted that respondents have taken possession of the suit premises whereas possession of the suit premises was not with the respondents and which aspect is again factually incorrect and therefore para 16 will require modification for this purpose also.

5. Accordingly para 16 of the judgment dated 17.7.2018 will read as under:-

“16. Finally I would like to add that the respondents/defendants were forced to file a suit for possession against the lessee company M/s GE Capital Services India Ltd and in which company the appellant/plaintiff was the employee and so had stayed in the suit premises. On account of the suit premises which were the leased premises being not vacated, the respondents/defendants had to file a suit for possession and the judgment and decree passed in the suit for possession has been sustained right till the Apex Court.”

6. Para 16 stated above will now stand substituted for para 16 of the judgment dated 17.7.2018 and whenever certified copy of the judgment dated 17.7.2018 is given to any of the parties, then, certified copy of this

order will also be given alongwith the judgment dated 17.7.2018.

7. C.M is accordingly disposed of by modifying para 16 of the judgment dated 17.7.2018, and as stated above.

VALMIKI J. MEHTA, J

AUGUST 01, 2018

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