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

+ RFA 567/2018

MUNNI DEVI

..... Appellant

Through: Mr. Brajesh Pandey and Mr. Raju
Sankar, Advocates.

versus

JAI BHAGWAN SHARMA

..... Respondent

Through: Mr. S.P.Jha and Ms. Himani Mishra,
Advocates

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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24.07.2018

Caveat No. 649/2018

1. Counsel appears for the caveator. Caveat accordingly stands discharged.

RFA No. 567/2018 & CM Nos.28662-65/2018

2. After arguments, this appeal is disposed of by sustaining the impugned judgment but as agreed the decree for mesne profits against the appellant is waived provided the appellant vacates the suit property on or before 15.10.2018.

3. Appellant will file an undertaking in this Court to vacate the suit property and handover actual physical vacant possession to the

respondent/plaintiff on or before 15.10.2018, within a period of one week from today, and on the appellant filing the undertaking and complying with the terms of the same, the decree for mesne profits against the appellant would stand waived, making it clear that otherwise the decree of mesne profits against the appellant would stand as it is.

4. The appeal is accordingly disposed of in terms of the aforesaid consent order.

VALMIKI J. MEHTA, J

JULY 24, 2018

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