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

RSA 95/2018

SARLA RANI

..... Appellant

Through: Mr. Hemant Malhotra, Mr. Sharad Malhotra
& Pankaj Malhotra, Advs. along with
appellant in person..

Versus

MITHLESH DEVI

..... Respondent

Through: Counsel for the respondent (appearance not
given).

AND

+ RSA 96/2018

SUNIL KUMAR MATTA

..... Appellant

Through: Mr. Hemant Malhotra, Mr. Sharad Malhotra
& Pankaj Malhotra, Advs. along with
appellant in person.

Versus

MITHLESH DEVI

..... Respondent

Through: Counsel for the respondent (appearance not
given).

AND

RSA 97/2018

AJAY KUMAR MATTA

..... Appellant

Through: Mr. Hemant Malhotra, Mr. Sharad Malhotra
& Pankaj Malhotra, Advs. along with
appellant in person.

Versus

MITHLESH DEVI

..... Respondent

Through: Counsel for the respondent (appearance not
given).

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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12.07.2018

1. These appeals have been listed in the Second Supplementary List published after the Court commencement hours.
2. This order is in continuation of the earlier order dated 3rd July, 2018.
3. The counsel for the respondent in all the three appeals appears.
4. After certain parlays, it has been agreed that subject to each of the appellant

RSA 95/2018, RSA 96/2018 & RSA 97/2018

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vacating and delivering vacant peaceful physical possession of the entire shop / premises in her / his respective occupation / possession to the respondent, on or before 11th September, 2018, the respondent shall not claim any arrears of rent / *mesne* profits from the appellants and the remaining claim in each of the suit from which these appeals arise shall stand withdrawn or will be withdrawn by the respondent. It has further been agreed that if each of the appellant does not so deliver vacant peaceful physical possession to the respondent on or before 11th September, 2018, each of them, besides liable for being proceeded against for breach of undertaking given to this Court and as recorded in the order dated 3rd July, 2018, shall also be liable for payment of all arrears of rent and *mesne* profits / damages for use and occupation @ Rs.10,000/- per month with effect from the date of institution of each of the suits from which these appeals arise and till the date of vacation / eviction.

5. The counsel for the appellants states that each of the appellant is present in the Court and has understood the aforesaid as well as the consequences of breach of undertaking given to the Court.

6. In view of the aforesaid, the counsel for the respondent states that the decree for ejectment shall not be executed till 11th September, 2018.

7. The parties are ordered to be bound by the aforesaid.

8. Else, the appeals have already been dismissed as withdrawn on 3rd July, 2018, no further orders are required.

RAJIV SAHAI ENDLAW, J

JULY 12, 2018

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