

\$~10

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

+ **RFA 821/2018**

PAWANJEET SINGH BHASIN

..... Appellant

Through: Mr. J.P.S. Sirohi and Mr. Sunil Sirohi, Advocates with appellant in person. (Mobile No. 9999059056).

versus

M/S STANDARD SPARES

..... Respondent

Through: Mr. Ashok Kumar Singh, Sr. Advocate with Mr. Rajeev Singh Chauhan, Mr. Abheeshek Bhagar and Mr. Ashutosh Ranjan, Advocates (Mobile No. 9835409689).

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

%

28.09.2018

CAVEAT No. 896/2018

1. Since counsel for the caveator has entered appearance, the caveat stands discharged.

RFA 821/2018 and C.M. Appl. No. 39864/2018 (for stay), C.M. Appl. No. 39865/2018 (for delay)

2. This appeal has been argued at length. All the contentions urged on behalf of the appellant were heard. At the stage of dictation of the judgment for dismissing of the appeal, counsel for the appellant has taken instructions from the appellant who is present in person in

Court, that the appeal be disposed of as not pressed, but the appellant undertakes to vacate the entire suit premises bearing no. H-7, Udhog Nagar, New Rohtak Road, Nangloi, Delhi-41 within a period of two weeks from today. On the appellant complying with this undertaking given in the Court today that he will hand over actual, physical and vacant possession of the aforesaid suit premises to the respondent/plaintiff within a period of two weeks from today, the respondent/plaintiff has agreed to waive its claim towards *mesne* profits as awarded by the impugned judgment and decree.

3. The appeal and all pending applications are accordingly disposed of in terms of the aforesaid consent order.

VALMIKI J. MEHTA, J

SEPTEMBER 28, 2018

AK