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

+ **RFA 503/2018 and C.M. Appl. No. 26100/2018 (for stay)**

HABITAT INDIA

..... Appellant

Through: Ms. Biji Rajesh and Mr. Rajeev Kr. Yadav, Advocates (Mobile No. 7042450631).

versus

RAJ KUMAR ARORA & ORS

..... Respondents

Through: Mr. Santosh Kumar, Advocate for R-1 (Mobile No. 9811344985).

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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11.10.2018

1. After arguments this appeal is disposed of with the consent order that though the impugned judgment and decree dated 31.7.2017 is set aside without the same being reflection on merits of the cases of the respective parties, and since appellant/defendant no. 1 has already filed its affidavit by way of evidence, the plaintiff/respondent no. 1 will complete cross-examination of the witness as expeditiously as possible. This is subject to payment of costs of Rs.20,000/- to the respondent no. 1/plaintiff. Trial Court is also directed to ensure that final arguments in the case are completed within a period of four months of completion of trial.

2. It is also agreed that whatever amount has been deposited by

the appellant in this Court, will remain in this Court, and will abide by the final judgment which will be passed in the suit.

3. Parties to appear before the District and Sessions Judge, South East District, Saket Courts, New Delhi on 2nd November, 2018 and the District and Sessions Judge will now mark the suit to a competent court for disposal in accordance with law. Costs, as aforesaid, will be paid before the trial court on the first date which will be fixed for cross-examination of the witness of the appellant/defendant no. 1.

VALMIKI J. MEHTA, J

OCTOBER 11, 2018

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