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

+ **FAO 551/2018**

PUNAM GOYAL & ANR Appellants
Through: Mr. Ravi Sikri, Sr. Advocate with
Mr. J.K. Goyal, Mr. Gaurav Goyal & Mr. Deepank
Yadav, Advocates.

versus

AMAN BEDI Respondent
Through: Mr. Dinesh Yadav, Advocate.

CORAM:
HON'BLE MR. JUSTICE VINOD GOEL

ORDER
% **18.12.2018**

1. Mr. Dinesh Yadav, learned counsel appears for the respondent and states that he has filed the *vakalatnama* on behalf of the respondent yesterday. He submits that the respondent is ready and willing to deliver the peaceful vacant physical possession of the property in question to the appellants, subject to removal of his articles and belongings. He also submits that the respondent is also ready to make the payment of arrears of rent @ Rs.1,20,000/- per month with effect from 01.05.2017 till January, 2018 in six equal monthly instalments starting from 25.01.2019, subject to adjustment of the security of Rs.3,60,000/- lying deposited with the appellant. His statement to this effect has been recorded separately.

2. Learned senior counsel for the appellants, after hearing the statement of the learned counsel for the respondent, on instructions, states that if the respondent delivers the possession of the property in question tomorrow and makes the payment as stated by him, the appellants forego the interest on the outstanding rent amount and will not claim mesne profits and shall withdraw the Civil Suit No.1072/2018 pending in the court of learned Additional District Judge, South-East District, Saket, New Delhi. However, he makes a request that Local Commissioner may be appointed at their cost in order to record the delivery of possession to the appellants. Learned counsel for the respondent has no objection.

3. In the circumstances, Mr. Aditya Chandra, Advocate (Mobile No.-9717444444) is appointed as Local Commissioner to record the proceedings of delivery of possession of the suit property on 19.12.2018 at 3 pm. His fee is fixed at Rs.1 lac, which shall be payable by the appellants.

4. With this order, the appeal stands disposed of.

5. Copy of this order be given *dasti* under the signatures of the Court Master/Private Secretary.

VINOD GOEL, J.

DECEMBER 18, 2018
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