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

+ RFA 120/2018 and C.M. No.4733/2017 (stay)

V D WADHWA

..... Appellant

Through: Mr. R.K. Jain, Advocate with Mr.
Prashant Sharma, Advocate.

versus

MAN MOHAN LAL

..... Respondent

Through: Mr. Atul Kumar, Advocate with Mr.
Mukesh Marwah, LR of respondent in
person.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **14.03.2018**

1. After arguments, this appeal is disposed of by compromise and consent order that appellant will vacate the suit property on or before 30.4.2018 and the mesne profits decree passed by the impugned judgment will stand modified by the figure of Rs.40,000/- per month being substituted with the figure of Rs.4,500/- per month. Whatever amount the appellant has deposited with the authority under the Delhi Rent Control Act, 1958 appellant can withdraw the same. Appellant will also clear all charges towards electricity and water of the suit premises till the time the appellant

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stays in the suit premises. It is also agreed that the appellant will have time of six months from today to clear the money decree amount as passed by the trial court and modified by this Court by changing the monthly mesne profits figure from Rs.40,000/- per month to Rs.4,500/- per month. It is however made clear and agreed that appellant is entitled to concession for the amount of mesne profits to be reduced to Rs.4,500/- per month provided the appellant vacates the suit premises on or before 30.4.2018 and appellant also clearing the money decree amount within six months from today.

2. Let the appellant file an affidavit of undertaking in this Court in terms of the present order within one week and on the appellant filing the undertaking and complying with the terms of the same this appeal would stand disposed of in terms of the aforesaid consent order.

3. Appeal is accordingly disposed of, leaving the parties to bear their own costs.

4. Dasti to the counsels for the parties.

VALMIKI J. MEHTA, J

MARCH 14, 2018

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