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

+ **FAO 85/2019, CM APPL. 9613/2019**

JAGDISH SINGH RANA Appellant

Through: Mr. S. Chakraborty, Advocate.

versus

M/S DELHI BUILDTECH PVT LTD Respondent

Through: Mr. Deepak Dhaiya, Advocate.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **15.03.2019**

With the consent of the parties, who are present in Court through authorized representative, the following order is passed:-

- i) That the respondent shall complete the project in terms of the agreement;
- ii) That the thickness of the separating and supporting walls would be maintained throughout the building i.e. from the ground floor up till the top floor.
- iii) For the sake of monitoring the construction at the site, in compliance with the agreement between the parties, at request, the Court appoints Mr. Zia-ul-Hasan, Architect, (Mob.- 9868800869) as the Supervisor, who shall visit the site at least once a fortnight and assess the construction and if required, issue appropriate directions to the respondent. The said

suggestions and instructions would be duly complied with by the respondent. The architect's fee is fixed as Rs. 40,000/- per visit. The said fees shall be shared equally between the parties.

- iv) The work shall start right away and the architect shall visit the site on 20.03.2019.

An affidavit of undertaking for compliance of the aforesaid terms shall be filed by the parties within two weeks from today.

In view of the above, the parties shall seek an adjournment on the next date before the Trial Court.

The appeal is disposed-off in the above terms.

A copy of this order be given *dasti* to the learned counsel for the parties under the signature of the Court Master.

NAJMI WAZIRI, J

MARCH 15, 2019

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