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

+ RFA 951/2019 & CM APPL No.48000/2019

RAM SWAROOP BHAGAT (DECEASED) THR LRS

..... Appellants

Through : Mr.Punit Jain and Mr.Anand P.Jain,
Advs.

versus

SABANA KHAN

..... Respondent

Through : Mr.Pranav Rishi and Mohd. Imran,
Advs.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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06.01.2020

Only limited notice was issued per order dated 05.11.2019 to the respondents for reasons mentioned therein.

I have heard both the counsels.

It is agreed the appellant now shall vacate the premises on or before 31.08.2020 subject to his paying to the respondent an amount of Rs.12,500/- per month on or before 7th of each calendar month w.e.f. 01st November, 2019 till the time he vacates the premises. The arrears of water and electricity charges, if any, qua the premises shall also be cleared by the appellant within 15 days from today and he shall continue to deposit such charges to the concerned authorities as per actuals. Any default in payment of the user charges as above shall entail eviction forthwith. An

undertaking to this effect shall be filed by the appellant within 15 days from today before the Registrar General of this Court. The above order qua the payment of user charges shall be without prejudice to either parties qua determination of user charges/mesne profits, which question is still pending before the learned trial court. The amount paid per this order shall be adjustable against the amount so determined by the learned trial court.

The appeal stands disposed of in terms of above. Pending applications, if any, are also disposed of.

Copy of the order be given *dasti* under signature of the Court Master to both the counsels.

YOGESH KHANNA, J.

JANUARY 06, 2020

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