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

+ **CS(COMM) 125/2023 & I.A. 9444/2020 I.A. 35523/2024**

AJAY GUPTA & ANR.

.....Plaintiffs

Through: Ms. Sonali Chopra, Adv. (Through
VC) for P-1 and P-2
Ms. Aakanksha Kaul, Mr. Satya
Sabharwal, Ms. Rhea Borkotoky,
Advs. for P-3

versus

M/S GREENWAYS

.....Defendant

Through: Mr. Praveen Kumar and Mr. Divyam
Singh, Advs.

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% 05.09.2024

CS(COMM) 125/2023

1. Learned counsel for the defendant states that peaceful and vacant physical possession of the suit premises (portion admeasuring approximately 90 Sq. Ft. [15 Feet x 6 Feet] situated behind the properties bearing No. E-15, E-16 & E-17 at E-Block, Connaught Place, New Delhi-110001) has been handed over to the plaintiff nos. 1 and 2.

1.1 He states that if there is any article(s) or item(s) of the defendant left behind in the said premises, the plaintiffs are at liberty to dispose of the same and the defendant herein has no claim on the said articles/items.

1.2 He states that in view of the handover of the possession, the plaintiffs' claim of mesne profits be waived.



2. Learned counsel for the plaintiff nos. 1 and 2 confirms the receiving of peaceful and vacant physical possession of the suit premises.
- 2.1 She states in view thereof the present suit proceedings be disposed of as satisfied.
3. Learned counsel for the plaintiff no. 3 states on instructions that plaintiff no.3 as well does not wish to pursue her claim of mesne profits, against the defendant and prays that the suit be disposed of as satisfied.
4. The parties are bound down to their respective statements.
5. The judgment and decree dated 03.07.2024 has been complied with by the defendant to the satisfaction of the plaintiffs.
6. Accordingly, the suit is hereby disposed of after taking on record the statement of parties that neither party has any surviving claim against each other on account of the claims raised in the present suit *qua* the suit premises stand satisfied/extinguished. All pending applications stand disposed of.
7. Interim order, if any, stand vacated.

MANMEET PRITAM SINGH ARORA, J

SEPTEMBER 5, 2024/hp/sk

Click here to check corrigendum, if any