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

+ **RFA 61/2022**

ANU RAJOTIA

..... Appellant

Through: Mr.Gourav Sharma, Advocate
alongwith appellant No.2

versus

RITA ALLAHABADI

..... Respondent

Through: Ms.Richa Kapoor, Advocate along
with Respondent

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

% **19.01.2024**

CM APPL. 3584/2024 (Seeking withdrawal of the appeal)

1. The instant application under Section 151 of the Code of Civil Procedure, 1908 has been filed jointly on behalf of the parties seeking the following reliefs:-

"(a) Pass an order permitting the Appellants to withdraw the captioned appeal upon recording their statement that they have handed over the peaceful/vacant possession of the tenanted premises i.e. B-1/221, 2nd Floor, Lajpat Nagar-I, New Delhi-110024 to the Respondent/landlord and have surrendered all their rights/title and interest in the said tenanted premises in favour of the Respondent/landlord

(b) Pass any other or further order which this Hon'ble may deem fit and proper in the interest of justice."

2. The appellant No.2/son of appellant No.1 is present before this Court and has been identified by his counsel. The respondent is also present before



this Court and has been identified by her counsel.

3. During the course of the proceedings, the respondent has handed over a Demand Draft bearing No.341093, amounting to Rs.21,00,000/- dated 19th January, 2024 in favour of Mr.Ashutosh Rajotia, Appellant No.2/Attorney of Appellant no.1, drawn on Punjab & Sind Bank. The appellant No.2 has also handed over the keys of the tenanted premises in question to the respondent.

4. Subsequently, learned counsel for the parties submitted that since the matter has been settled between the parties, nothing is left for further adjudication in the present matter and the same be disposed of. They also undertake not to proceed for further litigation *qua* the premises in question.

5. In view of the above, the application is allowed and stands disposed of.

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In terms of the order passed in CM APPL. 3584/2024 of even date, nothing survives in the present appeal for further adjudication. Accordingly, the appeal stands disposed of.

CHANDRA DHARI SINGH, J

JANUARY 19, 2024

dy/ds

Click here to check corrigendum, if any