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

+ **RFA(COMM) 178/2023 & CM APPL.43024/2023**

LINKY DHINGRA

..... APPELLANT

Through: Ms Mahima Malhotra with Mr
Pratyansh Pandey, Advs.

versus

NEELAM BHATIANI

..... RESPONDENT

Through: Mr Varun Maheshwari with Mr
Manan Soni, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

23.01.2024

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[Physical Hearing/Hybrid Hearing (as per request)]

1. We are told that pursuant to the order dated 22.08.2023 passed by the coordinate Bench, the appellant has handed over the peaceful possession of the subject property.

2. Thus, according to the counsel for the respondent, the only issue which survives concerns the arrears of rent, use and occupation charges and arrears of water & electricity charges.

3. It is against this backdrop that the coordinate Bench *via* the very same order, i.e., the order dated 22.08.2023 referred the matter to the Delhi High Court Mediation and Conciliation Centre.

3.1 We are informed that the mediation has failed.

4. In these circumstances, the appeal is closed, with a caveat that all the

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contentions both on facts and in law are kept open to enable the appellant to put forth the same before the trial court.

4.1 Similar liberty is also given to the respondent.

5. Consequently, the pending application shall stand closed.

RAJIV SHAKDHER, J

SUDHIR KUMAR JAIN, J

JANUARY 23, 2024/pmc

Click here to check corrigendum, if any

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