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

+ **MAT.APP.(F.C.) 411/2024**

VJK

.....Appellant

Through: MrPrashant Mendiratta and
Ms.Somyashree, Advs. with
appellant in person

versus

LBN

.....Respondent

Through: Counsel (Appearance not given)

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE RENU BHATNAGAR

ORDER

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02.04.2025

CM APPL. 19237/2025 (Exemption)

1. Allowed, subject to all just exceptions.

CM APPL. 19236/2025

2. This application has been filed by the appellant seeking an extension of time for vacating the property bearing no. B-6/10, Third Floor, Safdarjung Enclave, New Delhi - 110029.
3. The learned counsel for the appellant submits that in spite of the best efforts of the appellant, the appellant has not been able to find an alternate accommodation. He has placed on record a list of properties which the appellant has visited or checked for the purposes of purchase, and gave reasons why the same was not suitable for the appellant.
4. The learned counsel for the respondent, who appears on



advance notice of this application, vehemently, opposes this application by stating that sufficient time has been granted to the appellant for vacating the above property, and on one pretext or the other, the appellant every time seeks an extension of time to vacate the said property. She submits that the appellant could also have taken a property on rent.

5. We have considered the submissions made by the learned counsels for the parties.

6. This Court, by its Order dated 09.12.2024, disposed of the present appeal by directing as under:

“9. The appeal along with all pending applications is, accordingly, disposed of by directing the appellant to shift to the premises being on the 2nd Floor, B-7, Extension/103, Safdarjung Enclave, New Delhi 110029 on or before 16.12.2024, for which purpose the respondent will render all assistance, such that the belongings of the appellant can be shifted to the said premises with the help of a packing agency, if the need so arises. Further the respondent will ensure that before the said date two CCTV cameras are installed in the said accommodation and a Security Guard being deployed at the building where the appellant is being asked to shift.”

7. The parties thereafter entered into an amicable settlement, and in view thereof, the appellant filed an application seeking an extension of time to vacate the above property.

8. Taking account of the amicable settlement dated 17.12.2024 arrived at between the parties, the said application was allowed, and further time till 31.03.2025 was granted to the appellant to vacate the property in question.



9. The present application has now been filed by the appellant on or about 29.03.2025, seeking a further extension of time to vacate the property.

10. We do not find any reason, leave alone sufficient reason, been shown by the appellant to grant further extension of time to the respondent. In this regard, we may note that earlier also when the decree impugned in the present appeal was sought to be enforced by the respondent, the appellant had given an undertaking to the Bailiff that she would vacate the subject premises by 12.12.2024. Therefore, repeatedly the appellant is violating her own undertakings and not vacating the subject property and instead seeking indulgence of the Court on one pretext or the other.

11. We, therefore, do not find any merit in the present application. The same is dismissed

NAVIN CHAWLA, J

RENU BHATNAGAR, J

APRIL 2, 2025/sg/DG

Click here to check corrigendum, if any