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

+ **RFA 868/2024**

SANTOSH SAKARIA

.....Appellant

Through: Ms. Sumitra Choudhary, Advocate

versus

CHARANJEET KAUR BAJAJ & ORS.

.....Respondents

Through: None

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

10.12.2024

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

CM APPL. 72344/2024 (exemption)

1. Allowed, subject to all just exceptions.

RFA 868/2024 & CM APPL. 72343/2024 (stay)

2. The appellant has assailed judgment and preliminary decree of recovery of possession of the tenanted property. The impugned judgment and preliminary decree was passed under Order XII Rule 6 CPC. At the outset, learned counsel for appellant in all fairness submits that the appellant may be protected from eviction for only three months since she has to re-locate her child qua school education where the running session would end in mid March. Learned counsel for appellant also submits that she has instructions of her client to seek withdrawal of this appeal and the accompanying applications if the appellant is protected from eviction till 20.03.2025.



3. Without entering into the merits of the case, the appeal and the accompanying applications are dismissed as withdrawn with the direction that till 20.03.2025, operation of the impugned judgment and decree shall remain stayed. However, it is made clear that if on or before 20.03.2025 the appellant does not vacate the subject property, the respondents shall be at liberty to get the impugned decree executed in accordance with law.

4. A copy of this order be sent to the concerned Trial Court.

GIRISH KATHPALIA, J

DECEMBER 10, 2024/as

[Click here to check corrigendum, if any](#)