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

+ RSA 5/2014

DELHI TRANSCO LIMITED

.....Appellant

Through: Mrs. Avnish Ahlawat, SC with Ms. Laavanya Kaushik, Ms. Aliza Alam, Mr. Mohnish Sehrawat, Mr. Amitoj Chadha, Adv.

versus

SHRI RAMPAL

.....Respondent

Through: Ms. Neha, Adv. with respondent.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

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17.02.2025

CM APPL. 5969/2025 (Directions)

1. The present appeal has been filed challenging the judgment of the learned Appellate Court dated 04.10.2013 whereby the learned Appellate Court set aside the judgment of the learned Trial Court dated 15.12.2012 in Civil Suit No. 681/2012, titled "*Ram Pal v. D R Thukral & Ors*".
2. In brief, the facts are that the respondents Ram Pal had filed a suit for possession and permanent injunction against the appellant, erstwhile DESU and Respondent No.2 and 3. The said suit came to be dismissed by the learned Trial Court against which an RCA No. 3 of 2013 was filed. The first Appellate Court vide the impugned judgment set aside the order of the learned Trial Court and decreed the suit. The appellant aggrieved of this filed the regular second appeal. However, Ld. Counsel for respondent No.1 states that the respondent does not



want to contest the present appeal and the appeal may be allowed.

3. Mrs. Avnish Ahlawat, learned counsel for the petitioner submits that the possession has always been with the appellant.
4. Since, the respondent No.1 has conceded to the appeal, the appeal filed by the appellant is allowed and the impugned order dated 04.10.2013 is set aside.
5. In view of the above, the present appeal stands disposed of.

DINESH KUMAR SHARMA, J

FEBRUARY 17, 2025

Pallavi/KR