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

+ **RC.REV. 124/2025**

SMT SENO JAIN & ANR.

.....Petitioners

Through: Mr. Chetan Anand Yadav, Advocate
(through VC).

versus

CHANDRA KANTA AGARWALA

.....Respondent

Through: Ms. Prerna Mehta, Advocate with LR
of respondent Mr. Sundeep Agarwala
in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

20.04.2026

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1. This hearing has been done through hybrid mode.

CM APPL. 72323/2025

2. The present application under Section 151 of the CPC seeks following prayers:-

“a) Direct the Petitioners to issue fresh post-dated cheques for a period of 16 months in the name of Sundeep Agarwala in terms of the Mediation settlement dated 26.04.2025 and comply with the other terms and conditions of the Mediation settlement dated 26.04.2025.

b) Pass any such Order or Orders as this Honourable Court may deem fit in the facts of the present case.”

3. The captioned petition was disposed of by learned Predecessor Bench of this Court *vide* order dated 14.05.2025 on account of settlement arrived at between the parties. The said order reads as under:-

“Pursuant to last order dated 04.04.2025, learned counsel appearing for the parties submit, that the parties have settled their *inter-se* disputes by way



of Mediation Agreement dated 26.04.2025 arrived at through mediation before the Delhi High Court Mediation and Conciliation Centre, Delhi High Court, New Delhi.

It is further submitted that by way of the Mediation Agreement dated 26.04.2025, the petitioners are obliged to vacate the subject premises on 31.12.2026; and in the interregnum, they are liable to pay use and occupation charges of Rs.1.75 lacs per month with effect from 01.07.2025 till 31.12.2026.

It is also noticed that though as per Para 1 of the settlement agreement, the petitioners were required to file an undertaking in terms of the Mediation Agreement, no such undertaking is on record as of date.

Accordingly, the petitioners are directed to file an undertaking in terms of the settlement within 02 weeks.

The petitions are disposed-of in terms of the mediated settlement, holding the parties bound by the terms thereof.

Pending applications, if any, are also disposed-of.”

4. In pursuance thereof undertaking on behalf of petitioners no. 1 and 2 have been placed on record, which reads as under:-

“2. That as per the Order dated 14.05.2025, this Hon’ble Court has granted time till 31.12.2026 to vacate the tenanted premises.

3. I undertake to vacate the tenanted premises and shall hand over peaceful vacant possession of the premises and the keys to the Respondent on or before 31.12.2026.

4. I further undertake to clear all arrears of rent and pay use and occupation charges of Rs. 1,75,000 (Rupees One Lakh Seventy-Five Thousand Only) per month, and also pay electricity and property tax till 31.12.2026 or till the vacation of premises and handing over of the possession whichever is earlier. I will not create any third-party rights over the said tenanted premises.

5. That this affidavit is in accordance with the order dated 14.05.2025 as



directed by this Honourable Court and does not create any third-party rights in the tenanted Premises. I also undertake to comply with the terms of the Mediation Settlement dated 26.04.2025.”

5. It is pointed out that thereafter respondent, i.e., Smt. Chandra Kanta Agarwala had passed away and accordingly an application under Order 22 Rule 4 read with Section 151 of the CPC had been preferred and *vide* order dated 24.03.2026 passed by learned Joint Registrar (Judicial) the same was allowed and Sh. Sundeep Agarwala has been brought on record as Legal Heir of Smt. Chandra Kanta Agarwala.

6. It is further pointed out that the post-dated cheques in terms of the aforesaid MOU dated 26.04.2025 were in the name of Smt. Chandra Kanta Agarwala and therefore, necessary directions may be issued to the petitioners to issue fresh post-dated cheques in the name of Sh. Sundeep Agarwala in terms of the Mediation settlement dated 26.04.2025.

7. Learned counsel appearing on behalf of the petitioner submits that they are ready to abide by the affidavit of undertaking placed on record and accordingly fresh post-dated cheques in terms of the mediation settlement will be issued in the name of Sh. Sundeep Agarwala. In case any of the earlier post-dated cheques in the name of Smt. Chandra Kanta Agarwala have been encashed, the petitioner shall issue fresh postdated cheques in the name of Sh. Sundeep Agarwala for the remaining period within a period of 15 days from today.

8. List for compliance before this Court on 13.05.2026.

AMIT SHARMA, J

APRIL 20, 2026/sn/ah