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

+ RSA 95/2024, CM APPL. 30778/2024, CM APPL. 30779/2024, CM APPL. 30780/2024, CM APPL. 30781/2024, CM APPL. 30782/2024
MS SHAKUNTALAAppellant

Through: Ms. Monica Kapoor, Mr. Bhavya Singh, Advs. with appellant.

versus

SMT CHANDER KANTA PURIRespondent

Through: Mr. Dhruv Sharma, Mr. O.P. Bharti, Advs. with Mr. Pardeep Puri, SPA.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

03.03.2025

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1. The present regular second appeal has been filed under Section 100 CPC challenging the judgment and decree dated 22.08.2023 passed by the Court of Ld. ADJ-01, South West District, Dwarka Courts, Delhi in RCA Civil DJ ADJ No. 29/2023 titled *Shakuntala vs. Chander Kanta Puri* by virtue of which judgment dated 23.12.2022 passed by the Court of Ld. SCJ-Cum-RC, South West, Dwarka Courts, Delhi in Suit No. CS/951/2017 titled as *Smt. Chander Kant Puri vs. Ms. Shakuntala* has been upheld.
2. Ld. First Appellate Court had dismissed the appeal and upheld the order of Ld. Senior Civil Judge, in Suit No. CS/951/2017 titled as *Smt. Chander Kant Puri vs. Ms. Shakuntala*. Initially a suit for mandatory injunction, permanent injunction and mesne profit/damages was filed



by the respondent against the appellant. The said suit was decreed and the appellant was directed to handover the vacant peaceful possession of the suit property comprising of one bedroom, one drawing room, one kitchen, one bathroom-cum-toilet as well as balcony i.e., upper ground floor situated in property bearing No. A-52, Sheesh Ram Park, Uttam Nagar, New Delhi.

3. Besides this a decree for mesne profit and damages at the rate of Rs. 3,000/- per month excluding electricity charges was also passed. The appeal filed against the same was dismissed. However, during the course of the proceedings before this Court, both the parties have entered into an amicable settlement. In pursuance to the amicable settlement, appellant has handed over the keys of the subject property to the respondent and the same has been accepted by the respondent. Sh. Pardeep Puri, Son of Smt. Chander Kanta Puri, i.e., the respondent have paid a sum of Rs. 1,50,000/- in cash which has duly been accepted by the appellant.
4. The appellant states that her goods are lying in the suit property. However she being an alone lady, is not in a position to transfer the goods lying there to the place where she is residing. The appellant states that she is residing at **Shiv Mandir, C-21, Sri Chand Park, Matiyala, Macchi Market, Nawada, Delhi.**
5. Let SHO of the concerned Police station depute the beat constable of A-52, Sheesh Ram Park, Uttam Nagar, New Delhi to prepare the inventory of the goods lying in the suit property. SHO shall also ensure that the goods lying therein are shifted to the address where the appellant is residing.



6. Copy of the order be sent to SHO concerned for necessary action.
7. In view of the above, respondent have undertaken that they will not claim anything against the mesne profit or electricity or any other charges. Both the parties have finally settled their dispute and shall be held bound by the settlement.
8. In view of the above submissions, the present regular second appeal along with the pending applications stands disposed of.

DINESH KUMAR SHARMA, J

MARCH 3, 2025/AR/KR..