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

+ **RC.REV. 190/2025**

SHARAD SHARMA

.....Petitioner

Through: Mr. Rajesh Mohan Sinha with Mr.
Prateek Mohan Sinha, Ms. Namita
Sinha, Ms. Nandini Harsh and Mr.
Krishnendu Das, Advocates.
Petitioner in-person.

versus

KRISHNA CHAUDHARY

.....Respondent

Through: Mr. Pradeep Chhindra with Mr. Parth
Dhawan, Ms. Devarshi Mishra and
Mr. Rohitashva Kamal, Advocates.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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28.07.2025

CM APPL. 44964/2025

Exemption granted, subject to just exceptions.

The application stands disposed-of.

CM APPL. 44963/2025

By way of the present application filed under section 151 of the Code of Civil Procedure 1908, the petitioner seeks stay of order dated 17.07.2025 passed by the learned Additional Rent Controller, Karkardooma Courts, Delhi in execution petition bearing Ex. No. 30/2015.

2. However, since warrants of possession and attachment have been issued *vide* order dated 17.07.2025; and bailiff is to be appointed for



executing warrants of possession on 31.07.2025, after making brief submissions, Mr. Rajesh Mohan Sinha, learned counsel appearing for the petitioner, on instructions of the petitioner who is present in court, submits that they wish to withdraw the present revision petition itself.

3. Mr. Sinha submits, that the petitioner shall surrender vacant, peaceful, physical possession of the subject premises bearing Flat No. E-29, Gaurav Apartments, Plot No.1, IP Extension, Delhi to the respondent within 02 months; subject however, to the liberty that the petitioner shall press RFA No.503/2025 arising from a specific performance suit filed by the petitioner against the respondent, based on an alleged agreement to sell the subject property.
4. Let an affidavit to the above effect be filed by the petitioner within 02 weeks.
5. In view of the above, Mr. Pradeep Chhindra, learned counsel appearing for the respondent submits, that subject to the petitioner surrendering possession of the subject property, as recorded above within 02 months from today, the respondent shall not press for any arrears of rent or use and occupation charges *in these proceedings*, whilst of course reserving their right to contest RFA No.503/2025 on all counts.
6. Mr. Chhindra also clarifies, that the respondent's counterclaim seeking *mesne profit* filed in response to the petitioner's suit bearing CS No.761/2017 seeking specific performance of an alleged agreement to sell, is still pending; and they would also press that counter claim
7. Application stands disposed-of in the above terms.



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8. In view of order passed above in CM APPL. 44963/2025, the present petition is disposed-of as withdrawn, directing the petitioner to surrender vacant, peaceful, physical possession of the subject premises to the respondent within 02 months from today, failing which, the petitioner shall be liable for payment of use and occupation charges as per market rate of the subject premises, as also for breach of the orders of this court.
9. Pending applications, if any, also stand disposed-of.
10. The date of 09.09.2025 stands cancelled.

ANUP JAIRAM BHAMBHANI, J

JULY 28, 2025
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