



\$~51

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.APP.(C) 14/2025, CM APPL. 39421/2025, CM APPL. 39422/2025 & CM APPL. 39423/2025**

SMT RAMA

.....Appellant

Through: Mr. Janak Raj Rana & Ms. Lavanya
Yadav, Advs. (M: 9310138394)

versus

SH. GURNAM SINGH & ORS.

.....Respondents

Through: Counsel appearance not given.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **08.07.2025**

1. This hearing has been done through hybrid mode.
2. The present appeal has been filed by the Appellant - Ms. Rama i.e., Contemnor under Section 19 of the Contempt of Courts Act, 1971, *inter alia*, assailing the order dated 21st May, 2025 (hereinafter, '*impugned order*') passed by the Id. Single Judge of this Court in **CONT.CAS(C) No. 1167/2023** titled '**Gurnam Singh & Ors. v. Rama**'. The said impugned order reads as under:

“1. After some arguments as advanced by counsel for the respondent. respondent, Ms. Rama, who is also present in the Court, undertakes to vacate the property in question on or before 15th July 2025.

2. This undertaking is taken on record.

3. It is, however, noted that this is the second undertaking by the respondent to this effect, and it is, therefore, clarified that in the event respondent flouts this undertaking in any manner. she will be liable to be proceeded for contempt.

4. Mr. J R Rana, Advocate, has apprised the respondent of consequences of non-compliance of the undertaking



given in the Court today.

5. List for 'compliance ' on 16th July 2025.

6. Order be uploaded on the website of this Court.”

3. The background of the present case is that in ***C.R.P. 01/2018*** titled '***Gurnam Singh & Ors. v. Rama***', the Court had considered a Revision Petition challenging the order dated 9th November, 2017 passed by the Id. Trial Court in ***CS No. 15068/2016***, whereby an application under Order XII Rule 6 of the Code of Civil Procedure, 1908, was dismissed.

4. Thereafter, the settlement was arrived at and the same is recorded in the judgment dated 11th January, 2023, to the following effect:

“1. This revision petition has been filed challenging an order dated 09.11.2017 passed by the Trial Court in CS No. 15068/2016 whereby an application under Order 12 Rule 6 CPC filed by the Petitioners/Plaintiffs has been dismissed.

2. After some hearing, parties who are present in Court albeit Petitioner No. 2 is appearing through video conferencing have arrived at a settlement. Respondent submits that although there is no admission made by her before the Trial Court enabling the Petitioners to obtain a decree under Order 12 Rule 6 CPC, however, to put a quietus to the litigation, she does not claim any right in the suit property and will be satisfied if some time is given to her' to vacate the suit property and directions are given to the Petitioners to compensate her in terms of money, as she is a widow and has no source of livelihood except for some part time household chores that she does as a domestic help in some houses.

3. Leamed counsel for the Petitioners, on instructions, submits that in lieu of payment of money to the Respondent, Petitioners are willing to give up their claim for mesne profits and damages and are also ready and willing to give a period of six months to the



Respondent to vacate the suit property subject, however, to the Respondent giving an undertaking before this Court that she will vacate the suit property within six months and will cooperate with the Petitioners in quashing FIR bearing No. 526/2015, P.S. Palam Village, under Section 354, 354-A, 509, 447, 448, 452 and 34 IPC, before the Appropriate Court.

4. **Settlement arrived at between the parties is recorded by the Court. Respondent shall file an affidavit of undertaking within a period of two weeks from today that she shall vacate the suit property on or before expiry of six months from today.** Petitioners shall not press their claim for mesne profits/damages before the Trial Court and statement to that effect will be made before the Trial Court. Respondent shall cooperate in quashing the FIR aforementioned before the Appropriate Court and shall vacate the suit property on or before expiry of six months from today. Parties shall remain bound by the terms of the settlement.

5. *Revision petition stands disposed of in terms of the above settlement.”*

5. In terms of the said judgment, the Appellant who had to vacate the property within six months from the said date did not vacate the property. This led to the filing of a contempt petition being **CONT.CAS(C) No. 1167/2023** which was considered by the Id. Single Judge on 21st May, 2025. The matter is now listed on 16th July, 2025 for compliance. The Appellant, who was present in Court, had undertaken before the Ld. Single Judge, to vacate the property on or before 15th July, 2025.

6. Thus, in the opinion of this Court, the present appeal would not be maintainable and the same is, accordingly, dismissed. Pending applications, if any, are also disposed of.

7. The Appellant shall ensure that there is complete compliance, failing



which the Id. Single Judge is free to proceed in accordance with law.

PRATHIBA M. SINGH, J

RAJNEESH KUMAR GUPTA, J

JULY 8, 2025/gunn/ck