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

+ **RSA 153/2022, CM APPL. 52596/2022**

USHA BHATT

.....Appellant

Through: Mr. Jatin Tyagi, Mr. Rajat Aneja,
Advvs.

versus

DADA DEV MANDIR PRABANDHAK SABHARespondent

Through: Mr. S.C. Singhal, Ms. Ramika
Munjal, Mr. Saideep Kaushik, Advvs.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

05.03.2025

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RSA 153/2022 & CM APPL. 13243/2025

The present application has been filed under Order 23 Rule 3 and Section 151 CPC for recording the compromise.

Both the learned counsels submits that the appellant has arranged for an alternate accommodation and almost shifted to the new accommodation and as such does not want to proceed with the present appeal. The appellant has agreed to not challenge the impugned decree passed by Ld. Additional District Judge-02, Dwarka Courts, New Delhi in RCA Civil ADJ No. 137/2019 titled *Usha Bhatt vs. Dada Dev Mandir Prabhandak Sabha (Barah Gaon)*.

Learned counsel for the appellant submits on instructions that since the business conducted related the Indane LPG Gas, appellant is required to



inform properly, to all its customers of the new address and for that purpose, appellant is required to maintain the present office for a period of about 02 months and as such undertake to handover physical vacant possession to the respondent on or before 30.04.2025. It has further been stated in the application that the appellant has already deposited a sum of Rs.2,44,400/- towards damages/use and occupation charges in the Court of Additional District Judge-02, South West, Dwarka Courts, New Delhi and undertaken to clear electricity and other charges. The respondent has agreed to waive off all charges beyond the amount so deposited (Rs. 2,44,400/-) upto the date of handing over the possession by the appellant i.e. 30.04.2025.

It has been agreed that the respondent will withdraw this amount from the Ld. Trial Court. The application is duly accompanied with an affidavit. The settlement as mentioned in the application filed under Order 23 Rule 3 CPC dated 19.02.2025 duly signed by the appellant and accompanied with an affidavit is accepted. Both the parties are held bound by the settlement.

In view of the submissions, the present appeal along with pending application stands disposed of.

DINESH KUMAR SHARMA, J

MARCH 5, 2025/AR/KR/vm..