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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RFA 1024/2025 & CM APPL. 70077/2025 (stay) CM APPL.
70078/2025 CM APPL. 70079/2025
RAMAN GAMBHIRAppellant

Through: Mr. Vishesh Wadhwa, Ms. Swadha
Gupta and Mr. Jatin Sharma,
Advocates.

versus

MANJU BALA AGGARWALRespondent

Through: Ms. (appearance not given).

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI
ORDER
% **11.11.2025**

By way of the present regular first appeal filed under section 96 read with section 151 of the Code of Civil Procedure 1908, the appellant impugns judgment and decree dated 13.10.2025 passed by the learned District Judge-01, East District, Karkardooma Courts, Delhi in suit bearing CS No. 279/2025.

2. After a detailed hearing in the matter, and upon suggestion of the court, Mr. Vishesh Wadhwa, learned counsel appearing for the appellant, on instructions of the appellant present in court, submits that the appellant is willing to vacate the suit property if they are given some reasonable time to do so.
3. The respondent is present alongwith her counsel.



4. On instructions, learned counsel appearing for the respondent submits, that the respondent is agreeable to the proposal made subject to the payment of the *enhanced rent/mesne profits* by the appellant.
5. After some discussion, and by consent of the parties, the present appeal is disposed-of with the following directions :
 - 5.1. The appellant undertakes to vacate the suit property and to hand-over vacant, peaceful, physical possession thereof to the respondent *by or before 30.04.2026*.
 - 5.2. For the period from 01.11.2025 till 30.04.2026, the appellant shall pay to the respondent *mesne-profits/damages* for use and occupation @ Rs. 27,000/- per month, by or before the 12th day of every English calendar month.
 - 5.3. The arrears of rent, if any, shall be cleared/discharged within 04 weeks.
 - 5.4. The appellant shall file an affidavit of undertaking to the above effect, stating that *he would vacate the suit property alongwith his family members; and hand-over vacant, peaceful, physical possession thereof to the respondent by or before 30.04.2026; and that he would pay the arrears and mesne-profits as directed by this order.*
 - 5.5. The requisite undertaking shall be filed by the appellant within 02 weeks.
6. The Registry is directed to bring to the notice of this court any non-compliance in filing the undertaking.
7. The present appeal is disposed-of in the above terms.
8. Pending applications, if any, also stand disposed-of.



9. Furthermore, parties undertake that they would take requisite steps for closing *all proceedings* filed by them before the learned trial court.

ANUP JAIRAM BHAMBHANI, J

NOVEMBER 11, 2025/V.Rawat