



2025:DHC:398-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RFA(COMM) 30/2025, CM APPLs. 2674/2025 & 2675/2025**
NEERAJ SAHANIAppellant

Through: Mr. Keshari Kumar Tiwari,
Mr. Suryansh Tripathi, Mr. Amish Tiwari
and Mr. Shivam Kumar Singh, Advs. with
the appellant in person.

versus

SUMER CHAND JAIN (NOW DECEASED)
THROUGH MS. ARCHANA JAIN
& ANR.Respondents

Through: Mr. Pranjal, Mr. Vikas
Chhabra, Ms. Gauri Batra and Mr. Sumit
Aggarwal, Advs.

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR
HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER (ORAL)

% **24.01.2025**

C. HARI SHANKAR, J.

1. Mr. Keshari Kumar Tiwari, learned Counsel for the appellant, is present with Mr. Neeraj Sahani, who is his client, in person.

2. We have heard both of them. They submit that the appellant undertakes to vacate the premises forming subject matter of challenge in this appeal, positively within three months from today, and also to pay the balance due and payable to the respondent which admittedly works out to ₹7,50,000/-, within a period of four months from today.



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3. The appellant is also directed to file an undertaking to the said effect with the Registry of this Court on or before 29 January 2025. Subject to the undertaking being filed, the impugned order would stand set aside and the appeal disposed of with liberty to the appellant to vacate the premises within three months and pay the aforesaid amount to the respondent within four months from today.
4. Failure to file the requisite undertaking, or failure to vacate the premises, and pay the aforesaid amount within the aforesaid period, shall result *ipso facto* in dismissal of this appeal and revival of the order under challenge.
5. The appeal stands disposed of in the aforesaid terms.

C. HARI SHANKAR, J.

AJAY DIGPAUL, J.

JANUARY 24, 2025/sk

Click here to check corrigendum, if any