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

\# **CNR No. DLHC010317212021**

\+ RFA 357/2021 & CM APPL. 35763/2021

RUKMANI GUPTA .....Appellant

Through: Mr. Anuj P. Agarwala and Mr. Vipul Singh, Advocates.

versus

CHAHATI DEVI &ANR. .....Respondents

Through: Mr. Rohit Kumar, Mr. Naveen Kumar, Mr. Sudhanshu and Mr. Amrish Ranjan Pandey, Advocates for R-1.
Mr. Rishabh Kapur, Advocate for R-2 through VC.

CORAM:
HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA

O R D E R

% 09.10.2026

1. This hearing has been conducted through hybrid mode.

2. Learned Counsel for the appellant submitted that, as per the affidavit dated 21st September, 2026 of the appellant filed on record, the appellant shall vacate the suit property on or before 31st January, 2027 and shall obey the other undertakings as given in the said affidavit.

3. Learned Counsel for the respondent No. 1 submitted that, as per the affidavit dated 23rd September, 2026 of the respondent No. 1 filed on record, the respondent No. 1 is willing to permit the appellant to remain in occupation of the suit property until 31st January, 2027. Learned Counsel for the respondent No. 1 has also submitted that mesne profits shall not be pressed, provided the appellant and respondent No. 2 vacated the suit property on or

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before 31st January, 2027.

4. Learned Counsel for respondent No. 2 submitted that, as per the affidavit filed on behalf of respondent No. 2 filed on record, respondent No. 2 shall vacate the suit property within a period of four months. However, as on today, on instructions from the respondent No. 2, learned Counsel submits that respondent No. 2 shall vacate the suit property on or before 31st January, 2027.

5. The parties shall remain bound by the statements and undertakings made in the affidavits filed by them.

6. Learned Counsel for the appellant has submitted that, in view of the aforesaid affidavits and submissions, the appellant does not wish to pursue the present appeal and it be disposed of as withdrawn.

7. Accordingly, the present appeal is disposed of as withdrawn, along with all pending application(s), if any.

RAJNEESH KUMAR GUPTA, J

OCTOBER 9, 2026/*MR/TP*

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