

(2017) 01 DEL CK 0385

In the Delhi High Court

Case No : 86 of 2017

M/S TANIMA INTERNATIONAL

APPELLANT

Vs

SUBHASH ARORA & ANR

RESPONDENT

Date of Decision : 24-01-2017

Acts Referred:

<Code of Civil Procedure, 1908 — Order 12 Rule 6

Citation : (2017) 01 DEL CK 0385

Hon'ble Judges : Hima Kohli

Bench : SINGLE BENCH

Advocate : Raj Kumar Rajput

Judgement

CM APPL. 3011/2017 (exemption) Subject to the appellant filing the certified/typed/legible copies of the documents annexed with the appeal within four weeks, the application is allowed and disposed of.

RFA 86/2017 and CM APPL. 3010/2017 (stay)

1. The appellant/defendant is aggrieved by the judgment on admission pronounced by the learned trial court on an application filed by the respondents/plaintiffs under Order XII Rule 6 CPC in a suit for eviction, arrears of rent, mesne profits etc.

2. Under the impugned judgment dated 05.11.2016, a decree of eviction in respect of the suit premises has been passed in favour of the respondents/plaintiffs and against the appellant/defendant, who has been directed to hand over vacant peaceful possession thereof within two months.

3. After addressing arguments for some time, learned counsel for the appellant had sought a pass over to enable him to obtain instructions from his client as to whether they would be ready and willing to vacate the suit premises if given a reasonable time.

4. On pass over, counsel for the appellant states that he has received instructions

from Mr. Aakash Gupta, proprietor of the appellant/firm who is present in court that if granted a period of 5/6 months, they would be ready and willing to vacate the suit premises and his client would also be open to negotiating a settlement with the respondents in respect of the remaining reliefs in the suit and the counter claim filed by the appellant, that are pending adjudication.

5. In view of the submission made by the counsel for the appellant, the present appeal is disposed of alongwith the pending application and a limited notice is issued to the respondents in respect of the timeline for vacating the suit premises, on the appellant filing the process fee, by ordinary process, speed post and courier, returnable on 14.02.2017. The notice shall indicate that the parties shall remain present.