

(2017) 02 DEL CK 0339

In the Delhi High Court

Case No : 176 of 2017 & CMs 6039-40 of 2017

SUMIT KAUR

APPELLANT

Vs

MEENU BAHADUR

RESPONDENT

Date of Decision : 17-02-2017

Acts Referred:

[Code of Civil Procedure, 1908](#), [Order 12 Rule 6](#)

Citation : (2017) 02 DEL CK 0339

Hon'ble Judges : Hima Kohli

Bench : SINGLE BENCH

Advocate : Rais Farooqui, Nazma Hasan

Judgement

1. On the last date of hearing, counsel for the appellant had stated that he may be granted some time to obtain instructions from his client as to whether she would be ready and willing to vacate the suit premises, if granted a reasonable time. The said observation was made after expressing a prima facie view that the impugned judgment on admission dated 19.11.2016 passed by the trial court under Order XII Rule 6 CPC, partly decreeing the suit for the relief of possession in favour of the respondent/plaintiff, does not suffer from any illegality or arbitrariness.
2. Today, counsel for the appellant states on instructions from his client that she does not wish to press the present appeal. He however requests that a limited notice may be issued to the respondent on the timeline for the appellant to vacate the suit premises. He submits that the appellant seeks atleast six months" time to vacate the suit premises and she is ready and willing to settle the remaining dispute with the respondent, which is the subject matter of the suit by paying the admitted rent and/or use and occupation charges in respect of the suit premises, as may be settled with the respondent.
3. In view of the aforesaid submission, the appeal is disposed of, along with the pending applications. Issue a limited notice to the respondent on the above

aspect, on filing of process fee by the appellant within one week, by speed post and ordinary process, returnable on 16th March, 2017.

4. The notice to be issued to the respondent shall indicate that the respondent shall remain present on the next date of hearing. The appellant shall also remain present.

5. Till the next date of hearing, operation of the impugned judgment and decree shall remain stayed.