

\$~79(2021)

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

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Date of decision: 29.10.2021

+ **CONT.APP.(C) 11/2021 & CM Nos.39077-78/2021**

SUNAINA SINGH

..... Appellant

Through : Ms Preeti Singh, Adv.

versus

ANAND KOHLI & ANR.

..... Respondents

Through : None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE TALWANT SINGH

[Court hearing convened *via* video-conferencing on account of COVID-19]

RAJIV SHAKDHER, J. (ORAL) :

CM No.39078/2021

1. Allowed, subject to just exceptions.

CONT.APP.(C) 11/2021 & CM No.39077/2021*[Application filed on behalf of the appellant for interim relief]*

2. Ms Preeti Singh, who appears on behalf of the appellant, concedes that contempt proceedings were initiated in this court, on account of an undertaking given before the Learned Additional District Judge on 03.10.2020, *inter alia*, to the effect, that the unpaid rent will be paid within two weeks from that date.

3. Furthermore, we are informed by Ms Singh that, upon contempt proceedings being initiated in this court, an undertaking was given on 27.05.2021 that the appellant will vacate the premises and pay the arrears of rent as well as use and occupation charges.

3.1 Unfortunately, the order dated 27.05.2021, whereby the above-mentioned undertaking has been recorded, has not been placed on record, but what we have instead is, the order of the learned single judge, passed on

25.10.2021, based on the said undertaking.

3.2. Ms Singh says that, further time is required to vacate the subject premises and the payment of arrears of rent along with use and occupation charges.

4. To be noted, in paragraph 4 of the order dated 25.10.2021, the amount in this regard is pegged at Rs. 23,00,000/-.

4.1 A perusal of the impugned order shows that, the appellant is given time, till the next date of hearing for payment of the aforesaid amount.

4.2. The next date of hearing before the learned single judge is 09.12.2021.

5. Having regard to the record of the case, we find no scope for interference with the impugned order, as the appellant is neither vacating the subject premises, nor is she paying the rent/occupation charges *qua* the same.

6. In these circumstances, the appeal is dismissed. Consequently, pending application shall also stand closed.

RAJIV SHAKDHER, J

TALWANT SINGH, J

OCTOBER 29, 2021/aj

Click here to check corrigendum, if any