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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RFA(COMM) 23/2023**
SHRI NEERAJ AGGARWAL APPELLANT
Through: Mr. Sonal Anand, Mr. Aayush Sai and
Ms. Surbhi Singh, Advs.
versus

SHRI RAVINDER PARKASH PUNJ & ANR. RESPONDENTS
Through: Mr. Raman Gandhi, Advocate.

CORAM:
HON'BLE MR. JUSTICE SIDDHARTH MRIDUL
HON'BLE MR. JUSTICE ANISH DAYAL

% **ORDER**
04.10.2023

RFA(COMM) 23/2023

Admit.

List in due course as per its own turn.

CM APPL. 5900/2023 (Stay)

The present application has been instituted on behalf of the appellant under Section 151 of the Code of Civil Procedure, praying as follows:-

- “(a) *Allow the present Application and stay the judgment and decree dated 31.10.2022 to the extent of recovery of Rs. 3,24,000/- as arrears of rent at the rate of Rs.9000/- per month till the pendency of the present Petition;*
- (b) *Pass such other or further orders as this Hon’ble Court may deem fit and proper in the facts and circumstances of the case be also passed in favour of the Appellant and against the Respondent No.1 to meet the ends of justice.”*

Mr. Sonal Anand, learned counsel appearing on behalf of the appellant,



undertakes to comply with the decree dated 31.10.2022 annexed as 'Annexure P-1' at page No.130 of the appeal paper book and extracted as under:-

- “i) It is ordered that the suit of the plaintiff is decreed for Rs. 3,24,000/- as arrears of rent @ Rs. 9000/- per month for the period from January, 2018 to December, 2020 along with interest @9% from the date of institution of the suit till realization of the amount in favour of the plaintiff and against the defendant no.1. The amount paid by the defendant no.1 pursuant to the order dated 29.01.2022 be adjusted from the said amount,*
- ii) The plaintiff's suit for possession is dismissed,*
- iii) The plaintiff's suit for mandatory injunction is dismissed,*
- iv) The plaintiff's suit for permanent injunction is dismissed,*
- v) The defendant's counter claim is decreed for restoration of possession in favour of defendant no.1 and against the plaintiff.”*

Directed accordingly.

With the above directions, the present application is disposed of accordingly.

SIDDHARTH MRIDUL, J

ANISH DAYAL, J

OCTOBER 4, 2023/MK