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

+ RFA 158/2023

PRAVENDER KUMAR GUPTA ..... Appellant

Through: Mr. Hari Shanker, Advocate.

versus

PRAVEEN MANZOOR ..... Respondent

Through: Mr. Sachet Sharma, Advocate.

**CORAM:**

**HON'BLE MR. JUSTICE PRATEEK JALAN**

**ORDER**

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**31.10.2023**

**CM APPL. 55991/2023 (for extension of time)**

1. The present appeal was disposed of by order dated 27.04.2023 recording the undertaking of the appellant that he would clear all outstanding rent within the period of six months and would vacate the said property also within the aforesaid period, i.e. 27.10.2023. He also agreed to pay use and occupation charges at the rate of Rs.16,500/- per month until the time he vacates the suit property. It was specifically stated that failure to abide by the order would render the appellant liable for proceedings in contempt.

2. The appellant has now filed this application seeking further time of six months to vacate the property. It is stated in the application that the appellant is a yoga teacher who teaches residents of the local area and his income is, therefore, tied to his residence in the said area. As far as the



arrears are concerned, the appellant has admitted that an amount of Rs.2,97,000/- remains due. He seeks a further period of six months to pay the aforesaid amount.

3. The application is opposed by learned counsel for the non-applicant/respondent.

4. The appellant has not made out any ground for extension of the time granted. The appellant has neither vacated the premises within the time as undertaken, nor paid the amount due. He has taken advantage of the order of the Court and remained in possession of the property for a further period of six months, but not complied with the corresponding obligations imposed upon him. His financial circumstances and limited source of income cannot result in an injustice being done to the respondent. No case is made out for grant of the indulgence sought.

5. The application is, therefore, dismissed.

**PRATEEK JALAN, J**

**OCTOBER 31, 2023**

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