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

+ **RC.REV. 142/2024, CM APPL. 29926/2024-Stay**

SH AMIT KUMAR

.....Petitioner

Through: **Mr. Sumeet Singh Chauhan, Adv.**

versus

MS SHILPA GHOSH & ANR.

.....Respondents

Through: **Mr. K. N. Singh, Mr. Prabhnoor Singh, Advs. along with respondents in person.**

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER
15.09.2025

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1. Learned counsel for the petitioner seeks an adjournment on the ground that he has recently been engaged and require some time to prepare the matter.
2. On the other hand, learned counsel for the respondent submits that despite passing of the earlier order dated 24.01.2025 whereby it was directed that subject to the petitioner paying user and occupation charges, the interim protection granted by this Court on 09.08.2024 shall continue till the next date of hearing, there has been no payment of the same from his end w.e.f. May, 2025.
3. He further submits that, in view of the such violation of the order dated 24.01.2025, the interim protection of stay on the execution of the order dated 15.02.2024 extended on 24.01.2025 till the next date of



hearing, is liable to be vacated in terms of the directions as specified at *paragraph 11* of the order dated 24.01.2025, which reads as under:-

“11. In the event that there is any default in the payment of use and occupation charges on behalf of the Petitioner, interim protection as granted by this Court on 09.08.2024 shall automatically stand dissolved.”

4. Learned counsel for the petitioner does not dispute the aforesaid submission made by learned counsel for the respondent.

5. As such, in light of there being a violation of the order dated 24.01.2025 *qua* non-payment of user and occupation charges by the petitioner, this Court is of the considered view that the interim protection granted by this Court *vide* order dated 09.08.2024 and extended till the next date of hearing on 24.01.2025, deserves to be vacated.

6. Accordingly, the interim protection of stay on the execution of the order dated 15.02.2024 granted by this Court, and extended till the next date of hearing on 24.01.2025 is vacated.

7. Needless to say, the respondents shall be free to initiate proceedings *qua* the same against the petitioner before an appropriate Court of law in accordance with law.

8. As such, renotify on 22.12.2025.

9. In the meanwhile, learned counsel for the parties are directed to file their written synopsis in compliance with the earlier order.

SAURABH BANERJEE, J

SEPTEMBER 15, 2025/bh