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

+ **RC.REV. 197/2022**

VIJAY MITTAL & ANR.

..... Petitioners

Through: Mr. Satyam Thareja, Advocate

versus

SANJEEV KUMAR & ORS.

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **29.02.2024**

[Physical Hearing/Hybrid Hearing (as per request)]

CM APPL. 9565/2024 (modification of order dated 01.02.2024)

1. Although the use and occupation charges order dated 01.02.2024 was passed with consent of both parties, the petitioners/tenants have brought this application for modification of the said order by reducing the amount of use and occupation charges and also for directions to the respondents/landlords to file an affidavit that in case the petitioners/tenants succeed in this petition, the use and occupation charges would be returned to them. Learned counsel for petitioners/tenants in all fairness admits that the rate of use and occupation charges cannot be reduced as it was a consent order and he confines his application only to the extent of directing the respondents/landlords to file an affidavit as aforesaid. To that limited extent notice of this application be issued to learned counsel for respondents on steps being taken within one week, returnable on the date already fixed.



2. However, it is made clear that the petitioners/tenants shall ensure strict adherence to the order dated 01.02.2024 qua dates of payment of the use and occupation charges and pendency of this application shall not be considered as justification for non-compliance.
3. List on 09.07.2024, the date already fixed.

GIRISH KATHPALIA, J

FEBRUARY 29, 2024/rk

[Click here to check corrigendum, if any](#)