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

+ **RFA(COMM) 198/2023**

VIBES HEALTH CARE LIMITED

..... APPELLANT

Through: Ms Kashish Arora, Advocate.

versus

DR MEERA VERMA

..... RESPONDENT

Through: Mr Pritish Sabharwal, Advocate.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **19.01.2024**

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

CM APPL. 3641/2024

1. Allowed, subject to the appellant filing legible copies of the annexures, at least three days before the next date of hearing.

CM APPL. 3640/2024

2. Issue notice.

3. Ms Kashish Arora accepts notice on behalf of the non-applicant/appellant.

4. Learned counsel for the non-applicant/appellant says that she does not wish to file a reply to the application.

5. The application is accordingly taken up for hearing.

6. The prayer made in the application reads as follows:

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“a) Allow the present application for release of decretal amount of Rs. 26,84,712/- in terms of the order dated 12.10.2024 deposited by the Appellant to the Registry of the High Court.”

7. We are inclined to allow the prayer for release of the amount indicated hereinabove i.e., Rs.26,84,712/- which has been deposited by the non-applicant/appellant, subject to an undertaking being furnished to the court that pending the adjudication of the appeal, title in the subject property will not be transferred or conveyed to a third party.

7.1. The undertaking will be filed within one (1) week.

8. It is made clear that the applicant/respondent will have liberty to execute a lease/licence *vis-à-vis* the subject property.

9. The Registry will release the money to the applicant/respondent only on the undertaking being furnished. Copy of the affidavit bearing the undertaking will be furnished to the counsel for the non-applicant/appellant.

10. The application is disposed of in the aforesaid terms.

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11. Although the appeal is listed in the usual course on 17.05.2024, counsel for the parties say that, meanwhile, they can be referred to the Delhi High Court Mediation and Conciliation Centre [in short, “Centre”] to attempt a settlement in the matter.

13. Accordingly, parties will present themselves before the Centre on 06.02.2024 at 03.00 P.M.

14. The mediator shall render a report in the matter before the next date of hearing.



15. List the appeal before this court on the date already fixed i.e., 17.05.2024.

RAJIV SHAKDHER, J

AMIT BANSAL, J

JANUARY 19, 2024 / tr

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

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