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

+ RFA 1059/2019 and CM APPLs. 53544/2019, 8056/2020, 8057/2020, 28738/2020 and 3858/2021

USHA SINHA

.....Appellant

Through: Mr. Praveen Kumar, Mr. Amolak Singh and Mr. Nishil Kaushal, Advocates.

versus

SUDHAKAR PRASAD SINGH & ORS

.....Respondents

Through: Mr. S.K. Bhaduri and Mr. Shreyangara Bag, Advocates for R1.

Mr. Kamal Kishore Kapoor, Director of Karishma Companies Pvt. Ltd.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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15.01.2025

1. At the outset, Mr. S.K. Bhaduri, learned counsel appearing on behalf of Respondent No.1 draws the attention of the Court to paragraph 3 of order dated 23.09.2024, whereby this Court directed the respective Banks, i.e. Axis Bank Ltd., Plot No.4, Community Centre, Aditya Corporate Plaza, Karkardooma, Delhi and UCO Bank, District Court Complex, Karkardooma, Delhi to remit the entire amount deposited in the respective accounts before the Registrar General of this Court along with accrued interest within four weeks from the date of receipt of the order and submits that the Banks have not remitted the amounts till date.
2. It is seen from the record that copy of the order was not sent to the



respective Banks and therefore, they cannot be blamed for non-remittance of the amounts as directed by this Court on 23.09.2024. However, Mr. N.P. Kaushik, who has been appointed as a Receiver, submits that he will ensure that the order is complied with and the requisite amounts along with accrued interest will be remitted with the Registrar General of this Court within a period of three weeks from today.

3. Mr. Bhaduri further submits that an FDR bearing No.719748 for Rs.10 Lacs in the name of B.R. Ahuja has matured on 29.04.2014 and the said amount be also remitted in the name of the Registrar General of this Court with up-to-date interest, to which counsel for the Appellant has no objection. Mr. Kaushik undertakes to look into the issue and take appropriate steps in this regard.

4. At this stage, counsels for the parties submit that Mr. Kaushik has rendered his report on 08.01.2025 wherein he has brought forth that he had a meeting with the tenant of the property in question, who had requested for continuing the tenancy after enhancement of rent @15% w.e.f. 01.11.2023, i.e., the date of expiry of the lease deed, however, in a subsequent meeting on 07.01.2025 the tenant expressed his willingness to pay further rent @ Rs.70,000/- per month from the date of execution of a fresh lease deed and as also to enhance rent @15% every three years. The submission is that the tenancy be extended at the rate of rent offered by the tenant.

5. Mr. Kamal Kishore Kapoor, Director of M/s Karishma Computers Private Limited, the tenant is present in Court and submits that the Company is willing to extend the tenancy at the rate of rent offered to the learned Receiver and is also willing to pay arrears of enhanced rent w.e.f. 01.11.2023 till the date of the execution of the fresh lease deed.



6. In view of the consent of the parties, Mr. Kaushik will proceed to execute the fresh lease deed with the tenant on the terms agreed upon and as incorporated in paragraphs 10 and 11 of the report of Mr. Kaushik rendered on 08.01.2025. The needful shall be done within a period of four weeks from today. As per the agreement between the parties, pending the adjudication of this appeal, the rent will be deposited in the name of the Registrar General of this Court by the tenant and this condition will be incorporated as a part of the lease deed.

7. List on 21.02.2025.

8. Copy of the lease deed so executed will be placed on record by the learned Receiver.

JYOTI SINGH, J

JANUARY 15, 2025/jg