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

+ CS(OS) 883/2023 I.A. 26274/2023 I.A. 29872/2024 I.A.

40598/2024 I.A. 46058/2024 I.A. 49023/2024

PREETI KAPOOR

.....Plaintiff

Through: Mr. Gaurav Bahl & Mr. Amit
Chawla, Advocates

versus

SANJAY JAIN HUF & ORS.

.....Defendants

Through: Ms. Sanjana Samor & Mr. Sindhu
Sinha, Advocates for defendants
Mr. Yash Gupta, Adv. for tenant
(thru VC)
Mr. Rohit Nagpal & Mr. Deepak
Jain, Advs. for applicant Anita
Kapoor with applicant in person
Mr. Sandeep Sharma, Sr. Adv. with
Mr. Naveen Sharma, Adv. for
applicant Rahul Kapoor with
applicant in person

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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30.01.2025

1. Pursuant to order dated 20th November 2024, compliance of directions as noted in para 12 of the said order has been made only a couple of days back, by defendant Nos. 1 and 2, who have remitted 40% of the rental amount for the months of December 2024 and January 2025, to the plaintiff.
2. Plaintiff's counsel acknowledges the same and states that there is a delay in compliance of the directions of this Court.
3. Compliance with directions relating to reconciliation and rendition of



accounts, for the period with effect from January 2022 till 31st November 2024, is yet to be done by defendant Nos. 1 and 2.

4. Counsel for defendant Nos. 1 and 2 shall file an affidavit of amounts which have been paid towards plaintiff's share of rent from the suit property, for this period, as also the amounts that have been received by them from the tenants.

5. Pursuant to order dated 19th December 2024, defendant Nos. 1 and 2 are present in the Court, while tenant is represented through counsel.

6. Tenant's counsel states on instructions that they are paying Rs. 80,000/- per month to defendant Nos.1 and 2 towards rent.

7. On a suggestion of the Court that the tenants should pay 40% of the rent amount directly to the plaintiff, counsel for defendant Nos.1 and 2, undertakes on instructions that they shall pay 40% of the rental amount to plaintiff consistently and on time.

8. Defendant Nos.1 and 2, who are present in Court, undertake to wire transfer 40% of the rental amount into account of plaintiff, every month. They shall be bound by this undertaking. Counsel for plaintiff shall provide details of designated account of plaintiff to counsel for defendant Nos.1 and 2. He however states that this amount of 40% is being accepted without prejudice to their rights and contentions, since the lease itself may be in question, being unregistered, as also, the quantum of the plaintiff's share in rental income.

9. List on 3rd March 2025.

10. Order to be uploaded on the website of this Court.

ANISH DAYAL, J

JANUARY 30, 2025/sm/kp