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

+ **RFA(COMM) 483/2025 & CM APPL. 51401-51403/2025**

SH SUBIR BAJAJ

.....APPELLANT

Through: Mr. Ajay Kumar Chopra and Mr.
Mudit Talesara, Advs.

versus

AURUM AUTOMOBILES PVT LTD

.....RESPONDENT

Through:

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **20.08.2025**

CM APPL. 51402/2025 (Exemption)

1. Exemption allowed, subject to just exceptions.
2. Application stands disposed of, accordingly.

RFA(COMM) 483/2025 & CM APPL. 51401/2025 (Stay) & CM APPL. 51403/2025 (Condonation of delay)

1. Heard.
2. Based on a *Leave and Licence Agreement* dated 19th December 2022, the suit came to be initiated by the appellant (plaintiff in **C.S.(COMM.) NO. 31 of 2024**) for recovery of a sum of Rs.25,04,341/- with interest @ 24% per annum.
3. It has not been disputed that the appellant has received the possession of the property on 09th June 2023.
4. Based on the recitals of the agreement dated 19th December 2022, it is urged that since the possession was surrendered prior to the lock in period,



the aforesaid claim ought to have been granted.

5. Further, it has been claimed that once the counter claim was dismissed, the Trial Court could not have directed the refund of the amount after adjusting the same from the security deposit, for which the suit was decreed.
6. Issue notice to the respondent, returnable on 31st October 2025.
7. Order be uploaded on the website of this Court.

NITIN WASUDEO SAMBRE, J

ANISH DAYAL, J

AUGUST 20, 2025/MK/sp+zb