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

+ **RC.REV. 104/2018, CM APPL. 10325/2018**

BINA ROY

.....Petitioner

Through: Mr. Anish Bachchan and Ms.
Devyani Sangwan, Advocates

versus

HANSA SONI & ORS

.....Respondents

Through: Mr. Mithlesh Mandal, Advocate

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

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11.12.2024

1. Once again, a request for an adjournment is made on behalf of the learned Counsel appearing for the Petitioner.
2. The record shows that a similar request was made by the Petitioner on 29.04.2024 as well as on 14.08.2024.
3. The record also shows that the interim protection was granted to the Petitioner by an Order dated 30.07.2018 passed by the Coordinate Bench of this Court. However, no user and occupation charges are being paid in terms of the judgment of the Supreme Court in *Atma Ram Properties (P) Ltd. vs. Federal Motors (P) Ltd.* reported as (2005) 1 SCC 705, in which it is held that once an Eviction Order is passed, the tenant is required to pay the use and occupation charges at market rent till the final disposal of the Revision Petition.
4. Learned Counsel appearing on behalf of the Petitioner also requests



for some time to take instructions as to whether her client is able to pay market rent for the last six years.

5. Let the parties be physically present in the Court on the next date of hearing.
6. List on 20.12.2024 in the Supplementary List.

TARA VITASTA GANJU, J

DECEMBER 11, 2024

g.joshi

Click here to check corrigendum, if any