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

+ **CM(M) 4117/2024**

M/S. MOTHERS PRIDE HIGH SCHOOL & ORS.Petitioners

Through: **Mr. Sanjeet Singh, Advocate.**

versus

M/S. MAHESHWARI MANDAL DELHI

.....Respondent

Through: **None.**

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% 19.12.2024

CM APPL. 74498/2024 (exemption)

Allowed, subject to all just exceptions.

This application stands disposed of.

CM(M) 4117/2024 & CM APPL. 74497/2024 (stay)

1. Respondent filed a suit for possession and damages. Petitioners are the defendant in the civil suit.
2. The petition challenges the orders dated 07.08.2024 and 03.10.2024 passed by the learned District Judge, Commercial Court- 02 North West, Rohini Courts, New Delhi.
3. By virtue of order dated 07.08.2024, the learned Trial Court allowed the applications of the respondent filed under Order VI Rule 17, under Order XI Rule 1 and under Order I Rule 10 CPC and vide order dated 03.10.2024, the learned Trial Court directed the petitioners to deposit the last admitted rent of Rs. 3,50,000/- per month in Court on or before 7th of each calendar



month.

4. The learned counsel submits that the order of deposit of rent has been passed without there being a formal application under Order XXXIX Rule 10 CPC and without any material on record *vis-a-vis* the rate of rent.

5. Issue notice to the respondent through all the prescribed modes, subject to taking necessary steps, returnable on 22.04.2025.

RAVINDER DUDEJA, J

DECEMBER 19, 2024/vp