



\$~43

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RFA 616/2010, CM Nos. 15189/2010, 15190/2010 & 26553/2020
BHARTI AIRTEL LTD

..... Appellant

Through: Mr. Amit Bajaj, Adv.

versus

JHAMMAN LAL GUPTA

..... Respondent

Through: Mr. S.K. Jain, Adv.

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% **26.02.2021**

CM No. 26553/2020

This is an application filed by the respondent with the following prayers:

“It is therefore most respectfully prayed that:

a) The present appeal may kindly be heard and disposed of as early as possible, in view of the aforesaid facts and circumstances;

b) The appellant may kindly be directed to pay the pending license fee to the respondent being his only source of income;

c) The deposited amount may kindly be released to the respondent without security, in view of the aforesaid circumstances; and



d) Any other order(s) which this Hon'ble Court deems fit and proper may also be passed in the interest of justice.”

Learned counsel for the respondent presses only prayer ‘a’ and ‘b’ of this application.

Insofar as the prayer ‘b’ is concerned, the suit has been filed only for recovery of rent for certain period which has been allowed by the Trial Court in favour of the respondent herein. In other words, there was no claim of the respondent for possession. In any case, he states that the appellant is not in possession of the property in question. Hence, no question arises for payment of license fee. Learned counsel for the respondent dispute this submission made by the learned counsel for the appellant. Be that as it may, list the appeal for hearing on August 11, 2021.

The parties to file their written submissions along with the judgments they want to rely on.

Application is disposed of.

V. KAMESWAR RAO, J

FEBRUARY 26, 2021/aky