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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 524/2016 & IA No.17684/2014 (u/O XXVI R-9 CPC)
RAKESH MEDIRATTA Plaintiff

Through: Mr. Yogesh K. Jagia & Mr. Amit
Sood, Adv.

Versus

TODAY HOMES & INFRASTRUCTURE
PVT. LTD. & ANR Defendants

Through: Ms. Pooja M. Saigal, Mr. Jitender
Ratta & Mr. Khayti Sharma, Adv.

AND

CS(OS) 1817/2012 & IA No.10378/2014 (u/O XXVI R-9 CPC)
ANJALA EXHIBITORS PVT LTD Plaintiff

Through: Mr. Yogesh K. Jagia & Mr. Amit
Sood, Adv.

Versus

TODAY HOMES & INFRASTRUCTURE
PVT LTD & ANR Defendants

Through: Ms. Pooja M. Saigal, Mr. Jitender
Ratta & Mr. Khayti Sharma, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **07.02.2017**

1. This order is in continuation of the earlier order dated 31st January, 2017.
2. The counsel for the plaintiffs states that the plaintiff in CS(OS) No.1817/2012 is accepting possession of the portion now offered by the defendants, in pursuance to earlier orders in this suit, without prejudice to its rights and contentions and reserving the right to make a claim for the compensation / damages for the difference in the premises agreed to be given and being now handed over.



3. The handing over / taking over of the possession be done on or before 10th March, 2017 and a memorandum of handing over / taking over of the possession together with a site plan of the premises of which possession is handed over, signed by both the parties, be placed before this Court on the next date of hearing.
4. The counsel for the plaintiffs states that the portion of which the defendants have offered possession to the plaintiff in CS(OS) No.524/2016 is not acceptable to the plaintiff in that suit and the plaintiff in that suit will proceed with the suit.
5. It is further clarified that the plaintiff in CS(OS) No.1817/2012 will amend the plaint to include the claim for compensation as aforesaid.
6. On enquiry, it is informed that consolidated issues have been framed in the two suits and consolidated evidence has been led and the evidence of the plaintiffs already stands closed.
7. List on 23rd March, 2017.

RAJIV SAHAI ENDLAW, J

FEBRUARY 07, 2017
'gsr'..

CS(COMM) 524/2016 & CS(OS) 1817/2012

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