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

+ RC.REV. 278/2018

ANKUR KUMAR & ORS. .... Petitioners

Through: Mr. Brij Bhushan Gupta, Sr. Adv.  
with Mr. Deepak Gupta, Mr. Gaurav  
Shankar, Mr. Udai Khanna and Ms.  
Apurva Gupta, Advs.

versus

GINNI VERMA & ANR. .... Respondents

Through: Mr. Harpreet Singh, Mr. Rajesh  
Gupta and Mr. Pranjal Saran, Advs.

**CORAM:**

**HON'BLE MR. JUSTICE R.K.GAUBA**

**ORDER**

% **01.06.2018**

CAV. No. 562/2018

Since the caveat petitioner is present through counsel Mr.  
Harpreet Singh, the caveat stands discharged.

CM APPL. 24505/2018 (exemption)

Allowed subject to all just exceptions.

RC.REV. 278/2018 and CM APPL. 24506/2018 (stay) , CM APPL.  
24507/2018 (additional documents)

Issue notice.

Mr. Harpreet Singh, Advocate appears and accepts notice on  
behalf of the respondents.

Reply, if required, be filed within four weeks. Rejoinder, if  
any, be filed within two weeks thereafter.

The trial court record shall be called for.

Be listed on 18<sup>th</sup> February, 2019.



The execution of the eviction order shall remain stayed till the next date of hearing.

The counsel for the respondents presses for condition of payment of user/occupation charges to be imposed to the stay against execution, in view of the ruling in *Atma Ram Properties (P) Ltd. v. Federal Motors (P) Ltd. (2005) 1 SCC 705*.

Both sides have been heard. The counsel on both sides jointly submit that the user/occupation charges may be tentatively fixed at Rs.70,000/- per month payable with effect from 01.01.2018. The respondents will communicate to the petitioner the particulars of his bank account in which the payment is to be made. The petitioner shall be obliged to pay upto date arrears by deposit made into said bank account within 30 days hereof and continue to pay the future user/occupation charges at the said rate, month by month, by seventh of each consecutive month till further directions.

Needless to add, strict and scrupulous compliance with this order would be pre-condition for continuation of the stay against eviction order.

*Dasti* under the signature of Court Master.

**R.K.GAUBA, J.**

**JUNE 01, 2018/uj**