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

CM APPL. 12137/2026

IN

+ RFA 561/2016

KULDEEP AGGARWAL

.....Appellant

Through:

versus

SATENDER SINGH

.....Respondent

Through: Mr. Raghuvinder Singh, Advocate  
(Through *video conferencing*)

**CORAM:**

**HON'BLE MR. JUSTICE AMIT BANSAL**

**ORDER**

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**23.02.2026**

**CM APPL. 12137/2026 (seeking clarification)**

1. The present application has been filed on behalf of the respondent seeking clarification of the order passed by this Court on 9<sup>th</sup> August, 2016 and a direction to the appellant to deposit the entire up-to-date decretal amount.
2. In terms of the impugned judgment, the following reliefs were granted in favour of the respondent:



22. **Issue no.7 : Relief:**

In view of the discussion on the issues herein above, the suit of the plaintiff is hereby decreed as follows:-

(a) A decree of possession in respect of suit property i.e. Shop No.F-1, First Floor, Manish Royal Plaza-I, Plot No.19, Sector-10, Dwarka, New Delhi is passed in favour of the plaintiff and against the defendant;

(b). A decree in the sum of Rs.50,000/- is passed in favour of the plaintiff and against the defendant in respect of arrears of rent;

(c). A decree of damages/mesne profits is passed in favour of the plaintiff and against the defendant @ Rs.25,000/- per month w.e.f 01.04.2013 till the defendant vacates the suit property.

3. This Court *vide* order dated 9<sup>th</sup> August, 2016, while issuing notice in the appeal, had granted stay on the execution of the judgment and decree subject to the appellant depositing the entire decretal amount with up-to-date interest with this Court.

4. The operative part of the order passed by this Court on 9<sup>th</sup> August, 2016 is set out below:

Subject to the applicant/appellant depositing the entire decretal amount, along with the interest accrued thereon, if any, till the date of deposit in this Court by way of a demand draft/pay order, in favour of the Registrar General of this Court, within a period of eight weeks from today, the execution of the judgment and decree impugned in the present appeal, is stayed till the next date of hearing.

It is made clear that if the amount is not so deposited, the respondent shall be entitled to execute the decree subject of course to restitution, in the event of the appeal succeeding.



5. It is clear from the reading of the impugned judgment as well as the order passed by this Court on 9<sup>th</sup> August, 2016 that the appellant has to continue depositing the amount of damages/*mesne* profit at the rate of ₹25,000/- per month till the time the appellant/defendant vacates the suit property.
6. It is the case of the respondent that the appellant is yet to vacate the suit property.
7. If that be the position, the appellant would be liable to pay damages/*mesne* profit at the rate of ₹25,000/- per month from the date of the impugned judgment till the time the appellant vacates the suit property.
8. The application stands disposed of.

**AMIT BANSAL, J**

**FEBRUARY 23, 2026**  
**ds**