

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

Date of Order: 3rd February, 2010

CM(M) No. 156/2010

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03.02.2010

Shri Tanul Gupta

... Petitioner

Through: Shri Manmohan Gupta, Advocate

Versus

Hakim Masood Ahmed & Anr.

... Respondents

JUSTICE SHIV NARAYAN DHINGRA

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporter or not?
3. Whether judgment should be reported in Digest?

ORDER (ORAL)

By this petition, the petitioner has assailed an order of the learned ARC passed on an application under Order 7 Rule 11 CPC whereby the application of the petitioner was dismissed. The petitioner had contended that the learned ARC had no jurisdiction since the respondent/landlord had filed another Civil Suit claiming market rent from the petitioner @ Rs.5000/- p.m.

2. It is not disputed that the petitioner is tenant in the premises. It is also not disputed that the petitioner claims that the rent of the premises was Rs.500/- p.m. The petitioner has not conceded to the claim of the respondent of payment of market rate of rent @ Rs.5,000/- p.m. Since the admitted rate of rent was Rs.500/- p.m. and the relationship of landlord-tenant was not in dispute, the learned ARC would have jurisdiction to entertain the petition and he rightly dismissed the application under Order 7 Rule 11 CPC assailing the jurisdiction of ARC. I find no force in the petition. The petition is hereby dismissed.

February 03, 2010

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SHIV NARAYAN DHINGRA, J.