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

Date of decision: 19.08.2026

CNR No. DLHC010031532026

+ **RC.REV. 33/2026 & CM APPL. 6771/2026 (Stay)**

AJAY KUMAR JAJORIA Petitioner

Through: **Mr. B. Khan and Mr. Ankur
Gupta, Advocates.**

versus

SHRI MANISH KUMAR Respondent

Through: **Ms. Jaya Goyal and Ms.
Manpreet Kaur, Advocates.**

CORAM:

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

% **JUDGEMENT (Oral)**

1. The present Petition has been filed under Section 25-B(8) of the **Delhi Rent Control Act, 1958¹**, assailing the **Order dated 08.10.2025²** passed by the **learned ARC-01, Central District, Tis Hazari Courts, Delhi³**, in **Eviction Petition bearing No. RC-ARC 230/2024⁴**, titled "*Shri Manish Kumar v. Sh. Ajay Kumar Jajoria*".

2. Learned counsel appearing on behalf of the Petitioner confines the challenge in the present Petition to the issue of ownership.

3. He submits that ownership of the subject premises is an essential ingredient for maintaining an eviction petition under Section 14(1)(e) of the DRC Act and that, until the ownership of the Respondent is crystallised, the learned ARC could not have proceeded

¹ DRC Act

² Impugned Order

³ learned ARC



to adjudicate the Eviction Petition. It is, therefore, submitted that the Impugned Order suffers from an error of law.

4. In support of the aforesaid submission, learned counsel appearing on behalf of the Petitioner places reliance upon the judgment of the learned Coordinate Bench of this Court in ***Kanchan Kapoor & Ors. v. Sarwan Kumar***⁵.

5. This Court has heard learned counsel appearing on behalf of the Petitioner and, with his able assistance, perused the Impugned Order as also the Judgment relied upon.

6. The contention raised on behalf of the Petitioner, however, does not merit acceptance. The Hon'ble Supreme Court, in ***Smt. Shanti Sharma & Ors. v. Smt. Ved Prabha & Ors.***⁶, has already considered the requirement of ownership in the context of Section 14(1)(e) of the DRC Act and, in Paragraph No. 14 thereof, has held that the landlord need not establish an absolute title to the premises and that what is required is a title which is better than that of the tenant.

7. In view of the aforesaid position of law, the premise underlying the sole challenge raised by the Petitioner, *namely*, that the proceedings could not have been adjudicated until the Respondent's ownership was conclusively crystallised, cannot be accepted.

8. The requirement under Section 14(1)(e) of the DRC Act is not one which obliges the landlord to establish an absolute or indefeasible title as against the world at large; the relevant consideration is whether the landlord has a title or right in the premises which is superior to that of the tenant.

9. In the facts of the present case, and in view of the decision of

⁴ Eviction Petition

⁵ 2014 SCC OnLine Del 6552



the Hon'ble Supreme Court in *Smt. Shanti Sharma* (supra), the contention raised by the Petitioner does not merit acceptance.

10. The Judgment relied upon by learned counsel for the Petitioner also does not advance his case, as the factual circumstances obtaining in the said judgment were materially different from those arising in the present case, and the sole contention raised before this Court, therefore, stands answered by the *dictum* laid down in *Smt. Shanti Sharma* (supra).

11. Consequently, this Court finds no merit in the present Petition and no ground for interference with the Impugned Order in exercise of the revisional jurisdiction under Section 25-B(8) of the DRC Act.

12. The present Petition, being devoid of any merit, is accordingly dismissed.

13. The present Petition, along with pending Application(s), if any, stands disposed of in the above terms.

HARISH VAIDYANATHAN SHANKAR, J.
AUGUST 19, 2026/tk/jk

⁶ (1987) 4 SCC 193