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

CNR No. DLHC010397212026

+ **CM(M) 1879/2026**

SAROJ GUPTA

.....Petitioner

Through: Mr. Vansh Gandotra, Mr. Kartik Gandotra, Mr. Naman Sabharwal and Mr. Madhuresh Chaudhary, Advs.

versus

PREM LATA & ORS.

.....Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

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24.08.2026

CM APPL. 57177/2026 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

CM(M) 1879/2026

3. The present petition has been filed by the petitioner under Article 227 of the Constitution of India read with Section 151 of the Code of Civil Procedure, 1908 ("CPC") for expeditious disposal of case bearing no. RC ARC/28/2025, titled "*Saroj Gupta Vs. Prem Lata and Anr.*", pending before the learned ACJ-cum-CCJ-cum-ARC, South-East, Saket Courts, New Delhi.
4. Succinctly put, the brief facts are that on 15.09.2025, the petitioner filed a suit for eviction against the respondents, wherein summons were issued and the respondents filed application for leave to defend.



5. The main contention of the petitioner is that the suit for eviction has been pending since September 2025, and the matter has been repeatedly fixed for arguments on the application of leave to defend.
6. Counsel for the petitioner argues that repeated adjournments have been granted to the respondents which has resulted in unnecessary delay in deciding the leave to defend application and has consequently, frustrated the very object of the summary procedure prescribed under Section 25B of the Delhi Rent Control Act, 1958.
7. He further submits that in the interregnum, the respondents have also filed a fresh application under Order I Rule 10 CPC for impleadment of a proposed respondent no. 3, which will contribute to delaying the proceedings before the learned Tribunal.
8. Heard and perused the record.
9. From the perusal of the order sheets passed in the underlying eviction petition, it emerges that the respondents have time and again been afforded repeated opportunities to argue on the leave to defend application. The order dated 03.06.2026, also reflects that last and final opportunity was granted to the respondents to address arguments on the application for leave to defend, subject to cost of Rs. 10,000/- to be paid to the petitioner.
10. There is no doubt that the adjudication of the leave to defend application has been delayed and such delay in a summary proceeding ought not to be permitted.
11. In view of the aforesaid and having regard to the limited relief sought in the present petition, this Court deems it appropriate to direct the learned Tribunal to consider and decide the application seeking leave to defend, in accordance with law.



12. The learned Tribunal is further requested to endeavor to dispose of the proceedings expeditiously, as far as practicable, keeping in view the exigencies of its board.

13. The present petition, along with pending application(s), if any, is accordingly disposed of in the aforesaid terms.

14. Needless to clarify that this Court has not, in any way, expressed any view on the merits of the case.

AJAY DIGPAUL, J

AUGUST 24, 2026
MK/dd