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

CNR No. DLHC010694672024

+ RC.REV. 279/2024, CM APPL. 60167/2024 (Stay) & CM APPL. 39395/2025 (U/O XXII Rule 3)

SAVITRI DEVI

.....Petitioner

Through: Mr. Sanjay Kumar Das & Mr. Meahul Gupta, Advs.

versus

AMRIT LAL

.....Respondent

Through: Mr. Amit Gupta & Mr. Akshat Agarwal, Advs.

CORAM:

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN SHANKAR

ORDER
31.08.2026

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1. In view of Notification No. 85/G-4/Genl.-I/DHC dated 21.08.2026, whereby the matters fixed for 27.08.2026 were directed to be taken up on 31.08.2026, the present matter is taken up today.

2. The present Rent Revision Petition has been filed under Section 25 B (8) of the Delhi Rent Control Act, 1958, seeking to impugn the Order dated 22.07.2024 passed by the learned ARC (West), Tis Hazari Courts, Delhi in RC ARC 56/2022 titled as "*Amrit Lal v. Savitri Devi.*"

3. By virtue of Order dated 22.01.2025, learned counsel appearing for the Petitioner, on instructions, had submitted that the challenge would be limited only to the question of the tenanted premises, which are the subject matter of the present Petition, not falling under the



ambit of Section 1(2) of the Act.

4. By the said order, both parties were directed to file their short note of contentions on this aspect with relevant judgments, if any.

5. This Court further takes note of the Order dated 10.11.2025 wherein once again after submissions having been made by the parties, a period of four (04) weeks was granted for addressing further arguments on the issue of maintainability as recorded in the Order dated 22.01.2025 and further time was granted for filing of Written Submissions.

6. Written Submissions have been filed by the Petitioner herein in pursuance of the Order passed by this Court and the same are dated 13.03.2025. This Court deems it apposite to reproduce the same, which read as under:

“1. That by the Order dated 22.01.2025, this Hon’ble Court has been pleased to issue notice limited to the issue of whether Impugned Order dtd. 22.07.024 passed by the Ld. ARC(W), THC, in RC. ARC No.56/2022 is unsustainable for want of jurisdiction or not ?

2. That it is a matter of record that Respondent herein filed a Petition U/S: 14(1)(e) of DRC Act, registered as RC.ARC/56/2022 seeking eviction of the Petitioner from the suit property.

3. That the Ld. ARC, THC while assuming jurisdiction over the matter, passed the impugned order dismissing the Leave to defend Application of the Petitioner. Consequently, Order was passed for eviction of the Petitioner from the suit property.

4. That it is respectfully submitted that Section-1(2) of the DRC Act confers jurisdiction on the Ld. Tribunal to deal with the Application of the Landlord for eviction of the Tenant from the tenanted property situated in an area or locality brought under the jurisdiction of DRC Act’ 1958 by virtue of a Gazette Notification issued under the aforesaid provision. Thus, a Notification under Section 1(2) of the DRC Act’ 1958 is a requirement under law for conferring jurisdiction on the Ld.ARC, THC, Delhi.

5. That the aforesaid requirement of law has been held to be valid by Hon’ble Supreme court of India in the judgement rendered in



the case of Mitter Sen Soni Vs. Shakuntala Devi reported in (2000) 9 SCC 720. Copy of the Judgement attached for kind perusal of this Hon'ble Court.

6. That it is a matter of record that the Suit property is situated in Ranjit Nagar, New Delhi-11008. To the best understanding of the Petitioner, there is no Notification issued under Section-1(2) of the DRC Act' 1958 bringing the area of the Suit Property or area within its fold.

7. That even otherwise the case of the Petitioner is otherwise covered by the judgement rendered by this Hon'ble Court in RC. REV. 519/2019 (Vijay Singh Vs. Sher Singh). Para-9, 9.1 and 12 of the Judgement. Copies of the Judgement attached.

8. Thus in view of the aforesaid position of law, the Impugned Order is liable to be set aside on the sole ground of want of jurisdiction."

7. As is apparent, there is absolutely nothing to substantiate the objection taken with respect to maintainability apart from the following:

"6. That it is a matter of record that the Suit property is situated in Ranjit Nagar, New Delhi-11008. To the best understanding of the Petitioner, there is no Notification issued under Section-1(2) of the DRC Act' 1958 bringing the area of the Suit Property or area within its fold."

8. This Court is of the opinion that the same is woefully inadequate to substantiate the objections that are sought to be raised.

9. In any event, the said challenge that is sought to be raised before this Court was never an objection that was raised before the learned ARC.

10. This Court is of the view that sufficient opportunity has been granted to the Petitioner to substantiate its objections. However, even as on date, despite the Court having passed over the matter in the first half, upon the request made on behalf of the learned counsel for the Petitioner to do some research to substantiate his contention, nothing



has been forthcoming apart from the bald assertion which has been set out in the Written Submissions.

11. This Court is of the view that since there is nothing to substantiate the objections taken on behalf of the Petitioner, there is no merit in the objection raised and no ground is made out to keep the matter pending.

12. Accordingly, the present Petition alongwith all pending application(s), if any, stands dismissed and disposed of in the aforesaid terms.

HARISH VAIDYANATHAN SHANKAR, J.
AUGUST 31, 2026/v/va