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

+ RC.REV. 389/2015

PANKAJ KUMAR Petitioner

Through: Mr. Narender Sharma, Advocate

versus

ANOOP KUMAR AGGARWAL Respondent

Through: Nemo.

CORAM:

HON'BLE MR. JUSTICE V.K. SHALI

ORDER

% **29.02.2016**

CM APPL.7398/2016 (delay)

1. For the reasons stated in the application, delay of 30 days in filing the review petition is condoned as sufficient cause is shown.
2. Application stands disposed of.

R.P. No.104/2016

1. This is a review petition filed by the petitioner against the order dated 30.11.2015 by virtue of which the rent revision of the petitioner was dismissed on the ground that the learned counsel for the petitioner has failed to point out any illegality, impropriety or jurisdictional error in the impugned judgment rejecting his leave to defend and accordingly the same was dismissed.

2. Now, the petitioner has filed the present application for review. The

review petition is entertainable only if there is error apparent on the face of record or the petitioner pleads his case and he has been able to lay his hand on some fresh piece of evidence which was not within his knowledge earlier which deserves to be considered.

3. Obviously, the learned counsel for the petitioner was requested to show as to what is the error apparent on the face of record in the order dated 30.11.2015 which was passed or for that matter in the impugned order dated 01.05.2015 passed in the main petition. The learned counsel for the petitioner has failed to do so.

4. It has been already observed by me that the possession of the suit premises has already been retrieved by the landlord in pursuance to the execution proceedings and therefore, this seems to be an exercise only into futility to keep the pot boiling so that the pendency of the present proceedings can be utilized by the petitioner to his advantage with ulterior consideration.

5. Accordingly, the review petition is dismissed.

V.K. SHALI, J.

FEBRUARY 29, 2016

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