

CR-2222-2016 (O&M)
Date of decision : 18.05.2016

versus

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Mr. Sandeep Verma, Advocate
for the respondent.

- AJAY TEWARI, J. (ORAL)**

Learned counsel for the petitioner has argued that the Courts below erred in not taking into consideration the material placed on record by the petitioner merely on the ground that the original rent receipts has not been placed on record without appreciating that the same has been seized by the police. Both the Courts below held that the said rent receipts could not be looked at as there was an allegation that they were forged.

I find no ground to interfere with the said order.

Consequently, the petition is dismissed.

Learned counsel for the petitioner points out that in the meantime the petitioner had been ordered to be evicted on the ground that this payment has not been paid. Considering the fact that the revision has been pending in this Court and had been dismissed only today, I deem it appropriate to grant one more opportunity to the petitioner to deposit the rent in terms of the judgment and order passed by the Hon'ble Supreme Court in the case of *Rakesh Wadhawan Vs. M/s Jagdamba Industrial Corporation, 2002 (1) R.C.R. (Rent) 514*.

In the circumstances, parties through their counsel are directed to appear before the Rent Controller on 31.05.2016 and, in case petitioner deposits the amount, as per the provisional order of assessment, the order of eviction will be set aside and the case will proceed further from that date.

Needless to say that if there is any default, this petition would be deemed to be dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

Copy of this order be handed over to the learned counsel under the signatures of the Bench Secretary.

18.05.2016
Pooja sharma-I

(AJAY TEWARI)
JUDGE