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

+ RC.REV. 306/2011

VINAY KUMAR JAIN

..... Petitioner

Through: Mr. Manu Nayar, Advocate.

versus

SUDEEP KUMAR JAIN & ORS

..... Respondents

Through: Mr. S.N. Choudhuri, Advocate.

CORAM:

HON'BLE MR. JUSTICE V.K. SHALI

ORDER

% **20.05.2016**

C.M. No.19062/2016

1. This is an application filed by the respondent/applicant seeking modification of the order dated 7.4.2016. Advance copy of the application has been given to the learned counsel for the non-applicant/petitioner.

2. I have heard the learned counsel for the parties and have also gone through the averments made in the application. The only prayer which has been made in the application is that although the revision petition filed by the petitioner under Section 25B (8) of the Delhi Rent Control Act, 1958 has been allowed and he has been granted leave to defend as a consequence of which he is permitted to file his written statement and contest the eviction petition filed by the respondent/landlord on the ground of *bona fide* requirement but it has been contended that there are certain observations which have been passed by the court which may prejudicially affect the rights and interest of the respondent/landlord unless and until it has been

specifically stated that these are tentative observations passed by the court and the trial court is not bound to observe the same as a guiding principle.

3. The learned counsel for the petitioner has also stated that there are certain observations which are in favour of the petitioner as well as against the petitioner and therefore, they should also not be harming the interest of the petitioner.

4. Needless to say that the observations which have been recorded in the aforesaid order are only tentative in nature and should not be taken into consideration while deciding the eviction petition on merits.

5. With these observations, the application stands disposed of.

V.K. SHALI, J.

MAY 20, 2016
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