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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 485/2016**
CHANI

Through Mr.Setu Niket and Ms.Esha
Mazumdar, Advocates. Petitioner

versus

NARAYAN SHAMNANI

Through Nemo. Respondent

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER
% **18.05.2016**

C.M. No.18947/2016 (exemption)

Exemption is allowed subject to just exceptions. Application disposed of.

CM(M) 485/2016 & C.M. No.18948/2016 (stay)

Petitioner is aggrieved by the order dated 02.5.2016 vide which on an application filed by the petitioner/tenant seeking stay of the execution proceedings, the RCT/District Judge had issued notice for 15.7.2016.

Submission is that the proceedings are pending before the Executing Court and the next date fixed before the Executing Court is 09.6.2016 but the bailiff has to be appointed by 28.5.2016. Submission being that his appeal which is pending before the RCT

would become infructuous if the execution proceedings are not stayed.

Record shows that an eviction petition had been filed by the landlord under Section 14(1)(b) of the DRCA which stood decreed on 28.01.2016 and an appeal had been filed before the RCT but the RCT had only issued notice on the stay application.

In this background, the decree be not executed till next date i.e. up to 15.7.2016 on which date the learned RCT will dispose of the application wherein the petitioner/tenant had sought stay of the execution proceedings. Needless to state that the order passed today is not in any manner to be treated as a reflection on the merits of the petition and the learned RCT will dispose of the said application uninfluenced by this order.

Petition disposed of.

Order dasti under signatures of the Court Master.

INDERMEET KAUR, J

MAY 18, 2016

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