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

+ **CM(M) 569/2016**

RAJ KUMAR

..... Petitioner

Through Mr.Tarun Agarwal, Advocate

versus

CHAMAN LAL

..... Respondent

Through Mr.Mayank Mohan, Advocate with
Mr.J.P. Sharma, Advocate

CORAM:

HON'BLE MR. JUSTICE I.S. MEHTA

ORDER

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02.06.2016

C.M.No.21756/2016 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CM(M) 569/2016

The petitioner has challenged the order dated 22nd March, 2016 passed by the learned Additional District Judge-02 (Central), Tis Hazari Courts, Delhi in C.S.No.342/2015 whereby the application moved by the petitioner for release of keys of the suit premises was adjourned by the Court for 27.09.2016, i.e. date fixed in the matter.

Counsel for the petitioner submits that the petitioner has moved an application before the Court below for handing over the keys of the suit premises as the defendant/tenant took out his belongings and handed

over/deposited the keys of the vacant possession of the suit premises with the Court below. However, the Court below instead of releasing the keys of the suit premises so vacated by the defendant/respondent in favour of the petitioner/plaintiff/landlord, issued notice of the application to the respondent/defendant, returnable on 27th September, 2016, the date already fixed in the matter. Counsel for the petitioner further submits that the suit premises is not fetching any income as the same is lying vacant and locked.

Counsel for the respondent/defendant is present in Court and submits that the defendant has already handed over the keys of the suit premises to the Court below in vacant condition, as the plaintiff/petitioner refused to accept the same.

Keeping in view the facts and circumstances of the case and without prejudice to the rights and contentions of both the parties and the fact that the suit property is not fetching any income, the Court below is directed to release the keys of the suit premises in favour of the petitioner/plaintiff/landlord, leaving apart the remaining dispute alive.

In view of the aforesaid direction, nothing further remains to be considered in the present petition and the same is accordingly disposed of.

Copy of this order be given *dasti* to the parties.

I.S. MEHTA, J

JUNE 02, 2016
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