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

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Date of decision: 01.09.2016

+ RC.REV.89/2015

AMTUL HABIB

Through

Mr.Amiet Andlay
Sharma, Advocates

....Petitioner
and Mr.Amit

Versus

MAUJMA KHAN

Through

Mr.L.C.Rajput, Advocate

...Respondent

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

JAYANT NATH, J. (ORAL)

The present Revision Petition is filed under Section 25B(8) of the Delhi Rent Control Act (*hereinafter referred to as The 'DRC Act'*) seeking to impugn the order dated 23.9.2014 by which the ARC allowed the application for leave to defend filed by the respondent/tenant. The petitioner filed the present Eviction Petition under section 14(1)(e) of the DRC Act regarding Shop No.4913, Bara Hindu Rao, Gali Darjian, Delhi.

The ARC granted to the respondent leave to defend. The order is identical to an order passed relating to adjoining property being Shop No.4912. This court in a revision petition against the said order, being RC.Rev. 88/2015 titled as Amtul Habib v. Maujma Khan, vide order dated 01.09.2016, quashed the order dated 23.09.2014 and passed an eviction order.

For the reasons stated in the judgment dated 01.09.2016 passed in RC.Rev. 88/2015, the present petition is allowed and the order dated 23.09.2014 granting leave to defend to the respondent is quashed.

The eviction order is passed in favour of the petitioner and against the respondent. However, the same shall not be executed in terms of Section 14(7) of the DRC Act within six months from today.

(JAYANT NATH)
JUDGE

SEPTEMBER 01, 2016/n/v