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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RC.REV. 227/2015 & C.M. No.8712/2015
SH JAGDISH KUMAR Petitioner
Through Ms.Neha Jain, Advocate.

versus

AMIT JAIN Respondent
Through None.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER
% **06.04.2016**

Respondent has been served. None has appeared for him.

The eviction petition has been filed under Sections 14(1)(b) and 14(1)(e) of the Delhi Rent Control Act. On 30.4.2013 the attorney holder of the petitioner had appeared and had made a submission before this Court that he wishes to press both the grounds i.e. the grounds under Sections 14(1)(b) and 14(1)(e) of the Delhi Rent Control Act. The Court in its order dated 30.4.2013 had accordingly recorded that the petition will proceed in ordinary manner and not under section 25B of the DRCA. The subsequent order dated 13.01.2015 decreeing the eviction in terms of Section 25 B(4) of the DRCA is clearly an illegality as the provisions of Section 25 B which is a summary procedure contained in the DRCA is not available under the provisions of Section 14(1)(b) of the DRCA. The impugned order is set aside.

Petition disposed of.

Written statement be filed by the defendant-tenant within a period of four weeks with advance copy to the landlord who may file a replication.

Parties are directed to appear before the ARC on 09.5.2016.

INDERMEET KAUR, J

APRIL 06, 2016
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