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

+ **RC.REV. 412/2015**

BHAGWAN DASS & ANR.

..... Petitioners

Through

Mr. Satya Prakash, Advocate
and Mr. Sanjay Kumar, Proxy
Counsel for Mr. A. K. Aggarwal,
Advocate for P-2

versus

MOHD JAVED & ORS.

..... Respondents

Through

Mr. Vimal Kumar, Advocate

CORAM:

HON'BLE MR. JUSTICE V.K. SHALI

ORDER

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02.06.2016

CM APPL. 22498/2016

1. This is an application under Section 152 CPC for correction of order dated 21.01.2016.
2. I have heard learned counsel for the parties. I have also gone through the record. Vide detailed order dated 21.01.2016, this court had set aside the order dated 20.03.2015 passed by learned Rent Controller and directed leave to defend to the applicant on merits.
3. The parties were directed to appear before learned Rent Controller on 16.02.2016. However, on account inadvertent typographical error in the order sheet it has got recorded that the petitioner is given leave to contest and he may file written statement within a period of four weeks with an advance copy to the respondents/landlords who may file replication within

two weeks thereafter. This order which has been recorded in the ordersheet is on account of some mistake. What was directed was that only leave to defend was to be decided on merits.

4. The application is to be decided on merits and no leave to defend was granted.

5. In view of the aforesaid facts, the order dated 21.01.2016 would read as under:-

“That vide order dated 21.01.2016, the order of the learned Rent Controller passed on 20.01.2015 is set aside and the leave to defend application be decided on merits by the learned Additional Rent Controller.”

6. With the observation passed by this court, the parties to appear before learned Rent Controller on 16.07.2016.

7. Accordingly, the application stands allowed.

V.K. SHALI, J

JUNE 02, 2016

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