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IN THE HIGH COURT OF DELHI AT NEW DELHI

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RC.REV. 601/2015 & C.M. No.26529/2015

SUMIT MISHRA

..... Petitioner

Through

Mr.Sushant Mukund, Advocate.

versus

KHEM CHAND

..... Respondent

Through

Mr.Arvind Kumar, Advocate.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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26.04.2016

Order dated 07.10.2015 had decreed the eviction petition. The application seeking leave to defend filed by the tenant had not been considered as the Trial Judge was of the view that already enough adjournments have been taken by the tenant for arguing the application seeking leave to defend and without dealing the leave to defend application, the eviction petition was decreed.

Impugned order dated 07.10.2015 is set aside. Pleadings on the application seeking leave to defend is stated to be complete.

Parties are directed to appear before the ARC on 09.5.2016 on which date the Trial Judge shall proceed with the application seeking leave to defend and decide the application on its merits.

This order is passed subject to payment of Rs.10,000/- as costs.

Petition disposed of.

Order dasti under signatures of the Court Master.

INDERMEET KAUR, J

APRIL 26, 2016

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