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

+ CM(M) 762/2007

RAKESH KUMAR

..... Petitioner

Through: Mr. Ashok Suri, in-person

Versus

POOJA DIXIT

..... Respondent

Through: Respondent-in-person

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **09.11.2017**

1. this petition under Article 227 of the Constitution of India impugns the order [dated 22nd January, 2007 of the Additional Rent Control Tribunal, Karkardooma Courts, Delhi in RCA No.26/2006 and RCA No.50/2006] setting aside the order of the Additional Rent Controller of eviction of the respondent from premises bearing No. E-31/A, Ashok Nagar, Delhi-110093 and dismissing the petition for eviction filed by the petitioner under Section 14(1)(a) of the Delhi Rent Control Act, 1958.

2. The petition was entertained and notice thereof ordered to be issued.

3. One gentleman who describes himself as Ashok Suri appears and states that he is the uncle of the petitioner Rakesh Kumar and states that his advocate Mr. Ajit Bhadoria will come post lunch and the matter should either be passed over or adjourned.

4. One lady who describes herself as the respondent Pooja Dixit also appears in person.

5. This petition has been pending in this Court for the last over ten years and a perusal of the order sheets shows the petition to have been dismissed in default / for non-prosecution on three earlier occasions and having been restored every time on the application of the petitioner. Otherwise also, the order sheets are replete with conduct of default and negligence on the part of the petitioner and his advocate in pursuing this petition.

6. No ground for pass over or for adjourning the matter is made out.

7. Dismissed for non-prosecution.

No costs.

RAJIV SAHAI ENDLAW, J.

NOVEMBER 09, 2017

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