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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RC.REV. 111/2017**
RAMESHWAR SHARMA Petitioner
Through: Mr. Parveen Southey, Advocate
along with petitioner in person.
versus

AMAR BALJEET SINGH Respondent
Through: Mr. Jagjit Singh, Advocate with Mr.
B S Dhir, Advocates

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **16.10.2017**

CM No. 37055/2017 (for early hearing)

- 1 The counsel for the respondent appears on advance notice.
2. Notice of this Rent Control Revision Petition under Section 25 (B)(8) of the Delhi Rent Control Act, 1958 impugning the order [dated 29th November, 2016 in ARC No.25601/2016 of the Court of Additional Rent Controller (West), Tis Hazari, Delhi] of dismissal of the application of the petitioner for leave to defend the petition for eviction under Section 14(1)(e) of the Act filed by the respondent and the consequent order of eviction of the petitioner from one shop at ground floor (back portion) forming part of property No.X-13, West Patel Nagar, New Delhi was issued vide order dated 6th March, 2016 on the contention of the petitioner that the petitioner would settle the matter with the respondent if some reasonable time is granted to vacate the tenanted property, on this limited aspect.

3. Thereafter, vide order dated 18th April, 2017, the parties were referred to Mediation.
4. Mediation is reported to have been unsuccessful and the petition stands posted for hearing on 30th November, 2017.
5. Application, being CM No. 37055/2017 has been filed for early hearing stating that the respondent has sought execution of the order of eviction impugned in this petition.
6. I have inquired from the counsel for the petitioner that the petitioner, from the very first date when this petition came up before this Court having confined the relief in the petition only to grant of time and notice having been issued on this limited aspect only, how much time does the petitioner need to vacate the premises.
7. The counsel for the petitioner today, is reneging away from what he had stated on 6th March, 2017 and today states that the petition be heard on merits.
8. The aforesaid conduct of the counsel is a gross abuse of the process of the Court. The petitioner and his counsel, by making a false representation before this Court on 6th March, 2017, that the petitioner only wants time to vacate, have kept the petition pending for the last more than six months when the petitioner ought to have vacated the premises on 29th May, 2017 when the order of eviction became executable.
9. Such conduct, abusing the process of the Court and amounting to hoodwinking the Court, cannot be permitted.

10. No ground for early hearing is made out.
 11. In view of the aforesaid conduct of the petitioner and his counsel, the Rent Control Revision Petition itself is dismissed.
 12. The date of 30th November, 2017 is cancelled.
- No costs.

OCTOBER 16, 2017
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RAJIV SAHAI ENDLAW, J