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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 434/2017
MANMOHAN LAL

..... Petitioner

Through: Mr. Abhimanyu Sharma, Adv.
Versus

V D WADHWA

..... Respondent

Through: Mr. M.S. Yadav, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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04.07.2017

1. This petition under Article 227 of the Constitution of India seeks expeditious disposal of a suit filed by the petitioner against the respondent for recovery of possession of immovable property on the ground of the respondent / defendant being a tenant under the petitioner / plaintiff, last at the rent of Rs.4,500/- per month and the tenancy of the respondent / defendant having been terminated and for recovery of *mesne profits* / damages for use and occupation, instituted as far back as in the year 2010 and now pending as Civil Suit No.611809/16 in the Court of Additional District Judge (ADJ)-03 (West), Tis Hazari Courts, Delhi.

2. The petition was entertained and notice thereof issued to the respondent and report of the reasons for long pendency of the suit sought from the learned ADJ.

3. The counsel for the respondent appears and the report dated 9th June, 2017 of the learned ADJ-03 (West), Tis Hazari Courts, Delhi has also been perused.

4. Considering the nature of the suit, pendency thereof for over seven years is indeed out of the ordinary.
5. The learned ADJ in the report has *inter alia* stated that both parties / counsels have before her undertaken to cooperate in disposal of the suit by the end of September, 2017.
6. The counsel for the respondent seeks time to file reply to the petition.
7. The counsel for the petitioner states that it is the respondent who is responsible for delaying the disposal of the suit.
8. I must observe that the request of the counsel for the respondent seeking time to file reply to the petition of the present nature indeed shows dilatory tactics.
9. The petition is disposed of by directing that neither party shall be entitled to any adjournment before the learned ADJ and if any of the parties seeks adjournment, the learned ADJ would be entitled to pass appropriate orders against such party, and by requesting the learned ADJ to, as stated in the report, dispose of the suit by end of September, 2017.

RAJIV SAHAI ENDLAW, J.

JULY 04, 2017

‘gsr’..

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