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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RC.REV. 265/2016
RAJ RANI CHAUDHARY & ORS Petitioners
Through Mr.D.R.Bhatia, Adv.

versus

UMESH ATRI Respondent
Through Mr.Praveen Chauhan, Adv.

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER
% **06.03.2018**

CM APPL. No.1166/2018

This application has been filed stating that there was a delay in receipt of the copy of the eviction order of this court on account of which there is sufficient cause to pass a stay order to enable the applicants to take steps to challenge the judgment of this court as per law.

On 29.01.2018 this court had noted the submission of the learned counsel for the petitioners that he seeks an opportunity to take steps in view of the delay in receipt of the copy of the order, to challenge the eviction order of this court.

The learned counsel for the respondent has entered appearance and submits that this court had in the eviction order relied upon a judgment of this court in RC.REV No.263/2016, titled ***Raj Rani Choudhary & Ors. v. Umesh Atri*** dated 16.02.2017 inasmuch as the facts and question of law which arose in that petition and in this petition are identical. He submits that in RC.REV No.263/2016 the petitioner has filed a review petition but there

is no stay order and that the respondent has already executed the eviction order and has taken possession of the premises in question. He stresses that the premises in the present petition are adjacent to the premises of RC Rev. 263/2016 and the parties are common.

A stay order was passed in favour of the petitioner on 29.1.2018. Since then the petitioner has chosen not to take any steps to challenge the eviction order passed by this court. There is no merit in the present application and the same is dismissed. The stay order stands vacated.

JAYANT NATH, J.

MARCH 06, 2018/v