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

+ CM(M) 350/2017

MIR ABDUL HAI & ANR

..... Petitioner

Through Ms.Amrit Kaur Oberoi, Advocate

versus

SANJEEV VERMA & ORS

..... Respondent

Through

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% 27.03.2017

CM No.11969/2017 (exemption)

Allowed subject to all just exceptions.

CM(M)350/2017

By the present petition under Article 227 of the Constitution of India the grievance of the petitioners is that in an appeal filed by the petitioners against an Eviction Order dated 11.01.2017 passed by the Additional Rent Controller in a petition under section 14(1)(b) of the DRC Act the Appellate court hearing the appeal though issued notice to the respondents but has not passed any injunction order in favour of the petitioner. It is urged that the executing court is proceeding with the execution of the eviction order with a result that the appeal would become infructuous in case no interim orders are passed. A perusal of the order dated 20.03.2017 of the Rent Control Tribunal would show that on the application for stay filed by the petitioner arguments have been heard in part and the TCR has been summoned for

31.03.2017.

Advance copy of the petition has been served on respondentd but none is present for them.

Keeping in view the submissions of learned counsel appearing for the petitioner, in the interest of justice, there shall be stay of execution of the eviction order till the next date of hearing before the Rent Control Tribunal. It would be open to the Rent Control Tribunal to extend the stay uninfluenced by any observations made by this court or to deal with the application of the petitioner, as per law.

Petition stands disposed of. All pending applications, if any, also stand disposed of accordingly

A copy of this order be given dasti under signatures of the Court Master to learned counsel for the petitioner.

JAYANT NATH, J

MARCH 27, 2017

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