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

+ CM(M) 723/2017

JAGAN NATH ARORA Petitioner

Through: Mr. Sanjay S. Chhabra and Ms. Vijay
Laxmi, Advs.

Versus

SIMPLEX EXPORTS (P) LTD Respondent

Through: None.

AND

CM(M) 726/2017

JAGAN NATH ARORA Petitioner

Through: Mr. Sanjay S. Chhabra and Ms. Vijay
Laxmi, Advs.

Versus

SHREE UDYOG Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% 18.07.2017

**CM No.24968/2017 in CM(M) No.723/2017 &
CM No.24979/2017 in CM(M) No.726/2017 (both for exemption)**

1. Allowed, subject to just exceptions.

2. The applications are disposed of.

**CM(M) 723/2017 & CM No.24967/2017 (for stay) & CM(M) 726/2017 &
CM No.24978/2017 (for stay)**

3. These petitions, both under Article 227 of the Constitution of India, impugn identical but separate orders, both dated 17th May, 2017 (of
CM(M) 723/2017 & CM(M) 726/2017

Additional Rent Controller (ARC) (North West), Rohini Courts, Delhi in E No.02/2015 (New E No.5350/16) (subject matter of CM(M) No.723/2017) and E. No.01/2015 (New E No.5349/16) (subject matter of CM(M) No.726/2017) filed by the petitioner under Section 14(1)(a) of the Delhi Rent Control Act, 1958 against the respondent in each of the petitions).

4. Vide the said orders, the applications of the petitioner under Order XVIII Rule 1 of the Code of Civil Procedure, 1908 (CPC) seeking a direction for the respondent/tenant to begin his defence were dismissed.

5. I have enquired from the counsel for the petitioner/landlord that if according to the petitioner/landlord the respondent/tenant in his written statement has admitted all the necessary ingredients of Section 14(1)(a) supra, the petitioner/landlord can close his evidence and the eviction petition will then proceed for evidence, if any of the respondent/tenant.

6. The counsel for the petitioner/landlord is not willing to close his evidence. Rather, the counsel for the petitioner/landlord withdraws these petitions stating that he will file affidavits by way of examination-in-chief of the petitioner/landlord and his witnesses.

7. Dismissed as withdrawn. Needless to state that the petitioner in accordance with law will be entitled to lead evidence in the eviction petition.

RAJIV SAHAI ENDLAW, J.

JULY 18, 2017

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