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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 818/2017
GIRISH KAKAR & ANR Petitioners
Through: Mr. Deepak Gupta, Adv.

versus

RAJENDER AGARWAL Respondent
Through: None.

CORAM:
HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER
% **02.08.2017**

CM.No.27453/2017 & 27454/2017 (both for exemption)

1. Allowed subject to just exceptions.
2. The applications are disposed of.

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3. This petition under Article 227 of the Constitution of India seeks a direction to the Court of Additional Rent Controller-1, District Central, Tis Hazari Court to expeditiously decide the application filed by the respondent/tenant for leave to defend the petition for eviction being E.No.249/13 filed by the petitioner under Section 14(1)(e) of the Delhi Rent Control Act, 1958.
4. It is the contention of the counsel for the petitioner that the petition for eviction was filed in the year 2013.
5. It is rather unfortunate that the petition for eviction under Section 14(1)(e) for decision whereof a summary procedure has to be followed, is pending at the stage of consideration of the leave to defend application for four years.

6. The counsel for the petitioner informs that the next date of hearing before the Trial Court is 10th August, 2017.
7. The petition is disposed of requesting the Additional Rent Controller, Central, Tis Hazari Courts, before whom the aforesaid petition is pending, to endeavour to hear the arguments on the application for leave to defend on 10th August, 2017 and if not possible on that date soon thereafter and to decide the application for leave to defend on or before 30th September, 2017.
8. At this stage it is informed that the presiding Judge is under transfer to come into effect on 14th August, 2017.
9. The learned Additional Rent Controller is requested to, on 10th August, 2017, post the matter to soon after 14th August, 2017 and the incumbent Additional Rent Controller is requested to comply with this order.

RAJIV SAHAI ENDLAW, J

AUGUST 02, 2017
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