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

+ CM(M) No.837/2017 & CM No.27854/2017 (for stay).

AJAY KUMAR MOHANTY

..... Petitioner

Through: Mr. Rohit Sharma and Mr. Imran
Ahmad, Advs.

versus

UNION OF INDIA & ANR

..... Respondents

Through: Mr. Anurag Ahluwalia, CGSC with
Mr. Harvesh, Assistant (Litigation),
DoE.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **04.08.2017**

CM No.27855/2017(for exemption).

1. Allowed, subject to just exceptions.
2. The application stands disposed of.

CM(M) No.837/2017 & CM No.27854/2017 (for stay).

3. This petition under Article 227 of the Constitution of India impugns the order (dated 1st August, 2017 in PPA No.34/17 of the Court of District & Sessions Judge, Patiala House Courts, New Delhi), though issuing notice of the appeal preferred by the petitioner under Section 9 of the Public Premises (Eviction of Unauthorised Occupant) Act, 1971, to the respondents but declining to stay the execution of the eviction order.
4. The counsel for the respondents appears on advance notice and contends that no case for interim stay is made out as the petitioner has sub-let the premises.
5. I have enquired the market rent of the subject premises.

6. The counsel for the respondents under instructions states that the market rent would be not less than Rs.25,000/- per month.
7. The proceedings against the petitioner were commenced on 11th April, 2017.
8. The counsel for the petitioner states that the petitioner will, before 9th August, 2017, deposit with the respondents an amount calculated at the rate of Rs.25,000/- per month for the months of May, 2017, June, 2017, July, 2017, August, 2017 and September, 2017.
9. Subject to the said deposit, the petitioner be not ejected in pursuance to the eviction order dated 11th July, 2017, till the disposal of the appeal aforesaid.
10. The learned District & Sessions Judge is requested to endeavour to dispose of the appeal within the month of August, 2017.
11. The petition is disposed of.

Dasti under signature of Court Master.

RAJIV SAHAI ENDLAW, J

AUGUST 04, 2017

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