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

+ LPA 549/2017 & CM No.29730/2017

BABU LAL Appellant

Through: Mr. C.S. Rathour, Adv.

versus

SIR SOBHA SINGH & SONS PVT LTD & ORS Respondents

Through: Ms. Isha Khanna, Adv. for R-2 to 4.
SI Vijay Pal, P.S. Tughlak Road.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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22.08.2017

The appellant is aggrieved by the order of the learned Single Judge allowing W.P.(C) No.4075/2016. The operative directions of the learned Single Judge as contained in Paragraphs 12 and 13 of the impugned judgment are as follows:

“12. Records of the case are clear and it is respondent no.4’s own case that respondent no.4 is occupying only the outer portion of the Servant Quarter as he has been evicted from the said Servant Quarter, therefore, the question of respondent no.4 now claiming possession of any other servant quarter or the adjacent property does not arise. In the circumstances, it is directed that if respondent no.4 occupies any other space/place or any adjacent property as a trespasser, the concerned authorities would examine the petitioner’s claim in this regard and unless respondent no.4 shows any material or document to

prove his right to occupy any portion of the Servant Quarters behind Gurudwara Singh Sabha, Sujan Singh Park, New Delhi or any of the adjacent property, the police authorities shall assist the petitioner company to get the same vacated.

13. The petition along with the pending applications are disposed of with the aforesaid directions.”

The appellant contends that no reliance can be placed upon rent control proceedings and the orders made, neither on those of the Tribunal since the Tribunal did not have jurisdiction. We notice that this contention appears to have been agitated before the Tribunal, and subsequently this Court. The learned counsel submits that he may be permitted to withdraw this appeal and that the appellant should be granted liberty to avail his remedies in law.

The appeal is dismissed as withdrawn; it is open to the appellant to seek such remedies as are available in, and in accordance with law.

Dasti.

S. RAVINDRA BHAT, J

SUNIL GAUR, J

AUGUST 22, 2017
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