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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RC.REV. 391/2017 & CM No.30515/2017 (for stay)
RAVINDER KHURANA Petitioner

Through: Mr. Deepak Kumar, Adv.

Versus

VINOD KUMAR ARORA & ORS Respondents

Through: Mr. Pratham Kant, Adv. for R-2 to 5.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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25.09.2017

1. This order is in continuation of the earlier order dated 25th August, 2017.
2. The counsel for the respondents no.2 to 5 appears and informs that the respondent no.1 has died on 7th August, 2017.
3. On enquiry, though the counsel for respondents no.2 to 5 states that he has particulars of the heirs of respondent no.1 but has no vakalatnama on their behalf.
4. The aforesaid does not come in the way of considering the request of the petitioner for grant of time to vacate the premises, the petitioner having already withdrawn the Rent Control Revision Petition insofar as challenging on merits the order of his eviction. For the said purpose, it is not necessary to implead the heirs of respondent no.1.
5. The counsel for the respondents no.2 to 5, besides pleading urgent need of the premises by the respondents and which has been upheld by the Additional Rent Controller (ARC), states that the petitioner is also in arrears of rent compelling the respondents to institute a petition for eviction also under Section 14(1)(a) of the Delhi Rent Control Act, 1958 and in which an

order under Section 15(1) of the Act was passed and the petitioner has not complied therewith also. It is stated that this was a second default by the petitioner and the petitioner is thus also liable to be evicted on the ground of non payment of rent. It is stated that as per order under Section 15(1) of the Act, the petitioner was liable to pay Rs.60,000/- though the claim of the respondents was much higher.

5. On enquiry, both counsels are *ad idem* that the rate of rent was Rs.1600/- per month and that the rent has been so paid till 31st March, 2008 only and the petitioner is in arrears with effect from 1st April, 2008 till end of August, 2017.

6. The petitioner states that he will pay the said arrears before 10th October, 2017.

7. To test the *bona fides* of the petitioner, list on 10th October, 2017.

RAJIV SAHAI ENDLAW, J

SEPTEMBER 25, 2017

‘gsr’ ..