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

+ CM(M) No.1025/2017

MANOJ KUMAR MITTAL

..... Petitioner

Through: Mr. Alok Kumar, Mr. Neeraj Kumar
Gupta, Mr. Amit Kumar Singh and
Mr. Abhishek Paruthi, Advs.

versus

RAM CHANDER DALMIA

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **15.09.2017**

1. This petition under Article 227 of the Constitution of India seeks directions for expeditious disposal of E. No.95/14 (New No.79518/16) of the Court of Additional Rent Controller-1 (Central), Tis Hazari Courts, Delhi.
2. The petitioner has filed the petition for eviction under Section 14(1)(e) of the Delhi Rent Control Act, 1958 for eviction of the respondent and which petition is stated to be pending since the year 2008.
3. The counsel for the petitioner has contended that notwithstanding the order dated 21st March, 2012 of this Court in R.C. Rev. No.234/2011 (arising from the same petition for eviction), directing disposal of the petition for eviction as expeditiously as possible, granting no unnecessary adjournments to either party, with endeavour being made to dispose of the petition for eviction within ten months therefrom, the petition for eviction is still pending.
4. A perusal of the last order dated 19th August, 2017 in the petition for eviction however shows the counsel for the petitioner to have not appeared

and only a proxy counsel having appeared for the petitioner and the petition for eviction having been adjourned to 2nd November, 2017 for final arguments.

5. The counsel for the petitioner states that the proxy counsel had asked for a passover but which was declined.

6. Though it is not so recorded in the order but if the petitioner is in hurry, it is for the petitioner to ensure that the arguing counsel is available on the first call when the matter is called for final arguments and arguments are addressed; else the Courts, with large number of cases listed before them, are likely to take up other cases with the subject petition for eviction being adjourned.

7. Be that as it may, respecting the earlier order dated 21st March, 2012 the learned Additional Rent Controller-1 (Central), Tis Hazari Court, Delhi is now, on the condition of the counsel for the petitioner appearing and addressing arguments on the first call, directed to hear the counsel for the petitioner and the other appearing counsel and to decide the petition for eviction on or before 30th November, 2017.

8. The petition is disposed of.

No costs.

RAJIV SAHAI ENDLAW, J

SEPTEMBER 15, 2017

‘pp’..

