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

CM(M) 1167/2017

MOHD SUBHAN ..... Petitioner

Through: Mr. Bahar U. Barqi and Mr. Maroof Ahmad, Advs.

Versus

ABDUL WAHAB ..... Respondent

Through: None.

AND

\+ CM(M) 1168/2017

MOHD HANNAN ..... Petitioner

Through: Mr. Bahar U. Barqi and Mr. Maroof Ahmad, Advs.

Versus

ABDUL BASIT ..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

O R D E R

% 24.10.2017

CM No.37927/2017 in CM(M) 1167/2017 & CM No.37936/2017 in CM(M) 1168/2017 (both for exemption)

1. Allowed, subject to just exceptions.

2. The applications are disposed of.

CM(M) 1167/2017 & CM No.37926/2017 (for stay) & CM(M) 1168/2017 & CM No.37935/2017 (for stay)

3. These petitions, both under Article 227 of the Constitution of India, impugn the identical orders dated 14th October, 2017 in Ex. No.32/2017 (CIS No.2002/2017) and Ex. No.31/2017 (CIS No.2002/2017) issuing the warrants of possession returnable on 28th October, 2017 in

pursuance to the order of eviction of each of the petitioner and against which orders of eviction the revision petitions preferred by the petitioners were dismissed on 22nd September, 2017.

4. The counsel for the petitioners states that the petitioners have filed Special Leave Petitions (SLPs) against the order dated 22nd September, 2017 of this Court to the Supreme Court and the execution be stayed for some time to enable the SLPs preferred by the petitioners to be considered.

5. Once this Court has dismissed the revision petitions preferred by the petitioners against the order of their eviction, this Court cannot, in these petitions, grant any stay of the order of eviction.

6. I have told the counsel for the petitioners that the remedy of the petitioners is to mention the matters before the Supreme Court.

7. The counsel of the petitioners states that the petitioners did mention the matters yesterday but the petitioners have been directed to have the defects removed.

8. In the aforesaid state of affairs, it is all the more reason for this Court not to interfere.

9. The counsel for the petitioners has contended that owing to the intervening holidays, the SLPs could not be listed.

10. After that the petitioners had a chance of mentioning the matters before the Supreme Court.

11. Dismissed.

No costs.

RAJIV SAHAI ENDLAW, J.

OCTOBER 24, 2017
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