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

+ **RC.REV. 502/2017**

MANVEER SINGH & SONS

..... Petitioners

Through: Mr. C.S. Bhandari, Advocate

Versus

KAMLESH

..... Respondent

Through: Mr. V.K. Sharma, Advocate

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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06.11.2017

CM No.39520/2017 (Exemption)

1. Allowed subject to all just exceptions.
2. The application is disposed of.

CAV No.946/2017

3. The counsel for the respondent/caveator appears.
4. The caveat stands discharged.

R.C. No.502/2017 & CM No.39521/2017 (for stay)

5. This Rent Control Revision Petition under Section 25-B (8) of the Delhi Rent Control Act, 1958 impugns the order (dated 4th May, 2017 in RC / ARC No.1205/2016 of the Court of Additional Rent Controller (East), Karkardooma Courts, Delhi) of dismissal of the application filed by the petitioner for leave to defend the petition for eviction under Section 14(1)(e) of the Act filed by the respondent and the consequent order of eviction of the petitioner from one shop forming part of Property No. X/568, Gali No.9, Raghubarpura-I, Gandhi Nagar, Delhi – 110 031.

6. After some arguments, finding certain lacunas in pleadings in the petition for eviction, the counsel for the respondent/caveator withdraws the petition for eviction from which this petition arises, with liberty to file a fresh petition for eviction.

7. The counsel for the petitioner has no objection.

8. Resultantly, the impugned order of eviction of the petitioner is set aside and the petition for eviction in which the impugned order was made is permitted to be withdrawn with liberty to file a fresh petition for eviction under Section 14(1)(e) of the Act or under any other provision of law which may be available to the respondent.

No costs.

RAJIV SAHAI ENDLAW, J.

NOVEMBER 06, 2017
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