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

+ RC.REV. 25/2018

ANIL KUMAR

..... Petitioner

Through: Mr. Jai Sahai Endlaw and Mohd. Ali,
Advocates

versus

MOHD SAJID & ORS

..... Respondents

Through: Mr. Manu Nayar and Ms. Radhika
Arora, Advocates for R-1

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **24.01.2018**

Caveat 62/2018

Since the learned counsel for the caveator has entered appearance, the caveat stands discharged.

CM 3057/2018 (Exemption)

Allowed subject to just exceptions.

RC.REV. 25/2018 and CM 3058/2018 (stay) and 3059/2018 (for additional documents)

After some hearing, the first respondent who was the petitioner before the Rent Controller in the eviction case (case no.E-310/17) which was allowed by order dated 09.10.2017 after rejection of the application of the petitioner for leave to contest through counsel, on instructions, fairly concedes that triable issues arise and, therefore, the

leave to contest may be granted and the revision petition may be allowed and the impugned order dated 09.10.2017 may be set aside with all consequential directions to follow, this of course, without prejudice to the contentions of both sides.

In view of the above, the petition and the applications filed therewith stand allowed. The impugned order is set aside. The leave to contest to the petitioner stands granted. The proceedings before the Rent Controller consequentially stand revived. They shall be taken up by the Rent Controller for further proceedings in accordance with law on 19.02.2018 when the parties are directed to remain present. Needless to add, the petitioner shown as respondent in the eviction case will be obliged to submit the written statement on the afore-said date fixed for first appearance.

R.K.GAUBA, J.

JANUARY 24, 2018

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