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

+ RC.REV. 48/2016 and CM 3082/2016 and 14311/2017

KAILASH CHAND Petitioner

Through: Ms. Neha Kapoor, Advocate

versus

SURESH KUMAR TANWAR Respondent

Through: Mr. S.C. Singhal, Advocate

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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01.02.2018

After some hearing, the respondent who was the petitioner before the Rent Controller in the eviction case which was allowed by order dated 05.11.2015 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 05.11.2015 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 06.03.2018 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

FEBRUARY 01, 2018

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