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

+ RC.REV. 53/2018 & CM Nos. 5467-68/2018

NARENDER MALHOTRA

..... Petitioner

Through: Mr. Sunil Mittal, Sr. Adv. with Mr.
Ravi Sharma & Ms. Seema Seth,
Advs.

versus

BIMAL PARSHAD JAIN

..... Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **12.02.2018**

The impugned order dated 03.08.2017 was passed by the Additional Rent Controller (Central), Tis Hazari Courts, on the petition (case no. E-406/17) of the respondent thereby allowing the petition of the respondent herein for granting an order of eviction under Section 14 (1) (e) of Delhi Rent Control Act, 1958.

The petitioner (tenant) has raised the contention that the predecessor-in-interest of the respondent could not have purchased the property it being a property owned by a public trust, there being, as per his case, no authorisation obtained in terms of Section 92 of CPC.

After some hearing, learned counsel for the petitioner submitted, on instructions, that he may be allowed to withdraw the present petition and the application filed therewith and instead be given liberty to approach the trial court by review application and, in the meanwhile, be granted protection against execution.

In view of the above, the petition and the applications are dismissed as withdrawn. The petitioner is granted liberty to file a review application within two weeks hereof. It is directed that the impugned order of eviction shall not be executed for the period of two weeks and in the event of application for review being submitted in terms of the liberty granted within the period specified, till adjudication on the review application.

Dasti under the signatures of Court Master.

R.K.GAUBA, J

FEBRUARY 12, 2018

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