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

+ RC.REV. 46/2017 and CM APPL.4283/2017

SURINDER MOHAN ARORA & ANR Petitioners

Through: Mr. Ramesh Kumar, Advocate

versus

PAWAN KUMAR VERMA & ORS Respondents

Through: Mr. Gaurav Sarin, Advocate with
Mr. S.K. Rout, Mr. Abhishek
Manchanda & Mr. Harish Kumar,
Advs.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **02.05.2018**

After some hearing, the learned counsel for the respondents concedes to the impugned order dated 27.08.2016 to be set aside for the reason, as pointed out by the counsel for the petitioner, amended petition was not filed in terms of liberty obtained by order dated 25.04.2013 of the additional rent controller (ARC) and further the eviction petition as originally presented and the unsigned amended petition, which were placed on record in the wake of order dated 25.04.2013 were deficient, inasmuch as they did not contain the verification clause.

The counsel for the respondents submits that while the impugned order is set aside, the matter may be remitted to the ARC with liberty granted to the respondents to place on record the amended petition carrying out the verification clause as well, duly supported by affidavit, the contentions of

both sides on the request of the petitioners for grant of leave to contest to be kept open and to be re-considered by the ARC by a fresh order. Liberty as prayed is granted.

The petition is thus, allowed. The impugned order is set aside. The eviction petition is thus revived on the file of the ARC. The parties shall appear before the ARC for further proceedings in accordance with law in above light on 31st May, 2018

It is hoped and expected that the ARC will proceed with the matter expeditiously.

R.K.GAUBA, J.

MAY 02, 2018

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