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

+ RC.REV. 103/2016 and CM No. 5364/2016 (stay)

M/S AMARDAS AUTOMOBILE PARTS Petitioner

Through: Mr. Prag Chawla, Mr. Sudeep Sudan
and Mr. Nikhil Sharma, Advs.

versus

GEETA KHOSLA Respondent

Through: Mr. Sanjay Sharma and Mr. Nitish
Sharma, Advs. with respondent in
person.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **22.05.2018**

After some hearing, the counsel for the respondent who was the petitioner before the Rent Controller in the eviction case which was allowed by order dated 08.12.2015, after rejection of the application of the petitioner for leave to contest, 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 08.12.2015, 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

Additional Rent Controller consequentially stand revived. They shall be taken up by the Additional Rent Controller for further proceedings in accordance with law on 11th July, 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.

Given the age (64 years) of the respondent landlady and physically handicap that she statedly suffers, it is desirable that the eviction petition is decided on merits, after the trial, expeditiously. The trial court will make all endeavours towards that end, it, however, depending on cooperation from the counsel for both sides which is assured by each of them.

The petition and the application filed therewith are disposed of in above terms.

R.K.GAUBA, J.

MAY 22, 2018/uj