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

+ RC.REV. 112/2015 & CM No. 4189/2015 (stay)

SUBHASH GULATI

..... Petitioner

Through: Mr. Sanjeev Sindhvani, Sr. Adv. with
Mr. Kunal Madan, Adv.

versus

HARISH KUMAR SETHI

..... Respondent

Through: Mr. Yashvir Sethi, Mr. Neeraj Kumar
Gupta & Mr. Saurabh Seth, Adv.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **23.02.2018**

After some hearing, the counsel for the first respondent who was the petitioner before the Rent Controller in the eviction case which was allowed by order dated 23.12.2014 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 23.12.2014 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 22nd March, 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.

It is clear that this litigation began in 2013 and five years have already passed away. Given the advanced age of the respondent/landlord it is desirable that the proceedings are held expeditiously. The learned Rent Controller is requested to bear this in mind and make all endeavour to adjudicate upon the case at an early date. This, of course would depend upon cooperation from both sides.

Dasti.

R.K.GAUBA, J

FEBRUARY 23, 2018

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