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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO(OS) 69/2018**
SATISH CHAND GUPTA & ANR

..... Appellant
Through: Mr.Shiv Charan Garg, Adv. with
Mr.Imran Khan, Adv.

versus

SANJEEV KUMAR GUPTA & ORS

..... Respondent
Through: Mr.Lalit Gupta, Adv. with
Mr.Siddharth Arora, Ms.Piyusha
Singh, Advs. for R1 and R2

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **29.08.2018**

1. The present appeal has been filed by the appellants, challenging the order of the learned Single Judge dated February 22, 2018.
2. The grievance of the appellants as canvassed by Mr.Shiv Charan Garg, Adv. is primarily with regard to an order passed in IA No. 2156/2018, whereby, the learned Single Judge proposed to the counsels for renting out the portion of the property, which was in occupation of Dr.D.K.Gupta, a tenant, and sought proposals for the same. It is the submission of Mr.Garg that the appellants herein lay a claim to the said property and the tenant was evicted at the behest of the appellants for their bona fide need and they

intend to carry out necessary work in the property for their habitation. He states this stand of the appellants was not considered by the learned Single Judge. The appellants are not agreeable to the property being let out for rent, even if it enure to the benefit of whosoever is found entitled thereto.

3. On the other hand, learned counsel appearing for the respondents would state, even the respondents are laying a claim to the said property. He states that in view of the stand of the parties, with regard to the property in question, the learned Single Judge has evolved the procedure of renting out of the property.

4. Having heard the learned counsel for the parties, given the nature of submissions made by the counsel for the parties, as noted above, we feel that no fault can be found with the impugned order passed by the learned Single Judge, who has balanced the situation by passing an equitable order. The appeal is dismissed.

CHIEF JUSTICE

V. KAMESWAR RAO, J

AUGUST 29, 2018/akb