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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 1477/2018 & CrI. M.A. Nos.8967-68/2018

EMBASSY OF DEMOCRATIC OF CONGO Petitioner
Through: Mr. Rajeev Lochan and Mr. Ankit Arya,
Advocates.

Versus

MINISTRY OF CORPORATE AFFAIRS & ORS. Respondents
Through: Mr. Anil Soni, CGSC and Ms. Priyanka
Singh, Advocate.
Mr. A.P. Sahay, CGSC and Mr. Suraj
Kumar, Advocate.
Mr. Kirti Uppal, Senior Advocate with
Mr. B.S.Dhip, Ms. Yashika Vij and
Mr. Mohit Bhandal, Advocates for
Respondent No.2.
Ms. Nandita Rao, Additional Standing
Counsel for State with SI Vivek Malik, P.S.
Vasant Kunj.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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10.10.2018

The petitioner seeks the following reliefs:-

“(a) Issue a writ, order or direction in the nature of mandamus commanding the respondent no. 1 to produce the list of directors who are associated with the respondent no.2 company.

(b) Issue a writ, order or direction in the nature of mandamus commanding respondent no.2 to produce details of all their business operations.

(c) Issue a writ, order or direction in the nature of mandamus commanding the respondent no.2 to pay the damages of 10

crore to the petitioner due to inconvenience caused by a series of in-human and insulting act of the respondent no.2 towards the ambassador who is a female and who had to go through mental agony, torture and harassment.

(d) Any other relief which this Hon'ble Court deems fit and proper may kindly be passed in favour of the Petitioner and against the respondents."

The petitioner is a tenant in the premises of the respondent No.2. She now questions the very Rent Agreement, whereby she came into possession of the rented premises.

Mr. Uppal, the learned Senior Counsel for respondent No.2, submits that as per provisions of section 116 of the Indian Evidence Act, 1872, a tenant cannot question the right of the landlord, once she has been put in possession of the premises.

On the previous date, the Court has recorded, *inter alia*:-

“ *None appears for the petitioner.*

Mr. Uppal, the learned Senior Advocate for respondent No.2, states that there is a clear non-compliance of the directions of the Trial Court dated 17.09.2018, whereby the petitioner was to deposit the arrears of rent, totalling to Rs.92,40,000/- as of 05.03.2018. He submits that the monthly rent is Rs.7,70,000/-, therefore, the unpaid arrears payable would now increased by approximately Rs.46,20,000/-.

In the interest of justice, adverse orders are deferred.

Ms. Rao, the learned Additional Standing Counsel for the State, submits that the petitioner's complaint under section 156(3) Cr.P.C. is under consideration and it is listed for orders before the Trial Court on 16.10.2018.

List on 10.10.2018.”

Mr. Uppal, the learned Senior Counsel for respondent No. 2 submits that the outstanding amount now is approximately Rs.1.5 crores.

There is no merit in the petition. Accordingly, it is dismissed.

NAJMI WAZIRI, J.

OCTOBER 10, 2018
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