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

+ RC.REV. 209/2016 and CM APPL.13882/2016 (stay)

PREM LATA & ANR. Petitioners

Through: Mr. Ankit Jain, Advocate with
Mr. Sarvesh Rai, Adv.

versus

SHRI RAM CHARAN AGGARWAL Respondent

Through: POA holder of the respondent.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **08.03.2018**

By the impugned order dated 28.03.2016 the application of the respondent for leave to contest in the proceedings arising out of case (E. No.709/14/08) of the petitioners for an order of eviction on the ground under Section 14(1)(e) of the Delhi Rent Control Act, 1958 was allowed by the additional rent controller (ARC).

Having heard and perused, this court upholds the contention of the petitioners that the order is too cryptic and smacks of non-application of mind. Learned ARC in the name of passing a reasoned order has only summarized the contentions without dealing with the issues which were raised to examine as to whether any of them could be treated as triable issues.

Thus, the impugned order is set aside. The matter is remanded to the learned ARC for fresh hearing and adjudication on the application for leave to contest under Section 25-B of the Delhi Rent Control Act, 1958 in accordance with law.

Needless to add, given the old pendency the ARC will deal with the matter expeditiously.

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

R.K.GAUBA, J.

MARCH 08, 2018

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