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

+ RC.REV. 236/2016 & CM No. 16114/2016 (stay)

ANIL KUMAR JAISWAL

..... Petitioner

Through: Mr. Pradeep Gupta, Mr. Parinav
Gupta & Ms. Mansi Gupta, Advs.

versus

G C KANJHLIA

..... Respondent

Through: Mr. Sanjay S. Chhabra, Advocate
with Mr. Satish Chaudhary, Adv.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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28.02.2018

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 28.11.2015 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 28.11.2015 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 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.

Keeping in view the fact that the petitioner is senior citizen (stated to be over 85 years of old), this Court hoped and trust that the Additional Rent Controller will proceed with the case expeditiously.

Dasti.

R.K.GAUBA, J

FEBRUARY 28, 2018

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