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

+ RC.REV. 174/2015 and CM APPL.6815/2015, 23695/2017

M/S ABDUL GHAFOOR & SONS Petitioners
Through: Mr. Mukesh Kumar, Advocate

versus

MODH ISMAIL Respondent
Through: Mr. Girish Chandra, Advocate with
Mr. Gaurav Tyagi, Advocate

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **25.04.2018**

After some hearing, the counsel for the respondent who was the petitioner before the Rent Controller in the eviction case which was allowed by order dated 28.11.2014 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 28.11.2014 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 28th May, 2018, when the parties are directed to remain present.

The eviction petition was filed in the year 2012. In this view, it will be expected that trial is held expeditiously. The trial Court records shall be returned forthwith.

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.

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

APRIL 25, 2018
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R.K.GAUBA, J.