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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RC.REV. 263/2017 & CM No.19634/2017**

AJAY MAHAJAN Petitioner
Through: Mr. S.B. Singh, Advocate.

versus
DEVKI NANDAN (SINCE DECEASED) THR LRS & ORS Respondent
Through: Mr. Vinod Asri, Advocate.

CORAM:
HON'BLE MR. JUSTICE R.K.GAUBA

ORDER
% **15.03.2018**

After some hearing, the learned counsel for the petitioner fairly concedes that the eviction petition in which the impugned judgment dated 01.12.2016 was passed by the Rent Controller was filed seeking eviction on grounds under Section 14(1)(b), (e) and (g) of Delhi Rent Control Act, 1958. In this view, the petition could not have been tried in accordance with special procedure under Section 25B of Delhi Rent Control Act, 1958. Though, the respondent has failed to prove the grounds other than under Section 14(1)(e) of Delhi Rent Control Act, 1958, the case itself having been one which was not covered by the special procedure under Section 25B of Delhi Rent Control Act, 1958, the proper remedy against the order of eviction is by appeal before the Rent Control Tribunal.

In this view, the counsel now seeks permission to withdraw the revision petition with liberty to approach the Rent Control Tribunal by appeal. Allowed accordingly.

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

R.K.GAUBA, J

MARCH 15, 2018

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