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

+ RC.REV. 527/2016

KAMAL PRAKASH SAXENA

..... Petitioner

Through: Mr. Brij Bhushan Gupta, Senior Advocate
with Mr. Jai Sahai Endlaw & Mr. Apoorv
Gupta, Advocates

versus

KUSUM LATA JAIN

..... Respondent

Through: Mr. P.K.Rawal, Advocate with Mr. Alok
Pandey & Mr. Tarun Agarwal, Advocates

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **24.01.2018**

After some hearing, the learned counsel for the respondent fairly concedes that triable issues arise and, therefore, the petitioner may be granted leave to contest and in the consequence the eviction order which is impugned by the petition at hand may be set aside and the revision petition may be allowed, his request only being that the respondent/landlady is octogenarian and, therefore, there is need for expeditious trial.

The learned counsel for the petitioner fairly concedes that given the advanced stage, suitable directions may be given for expeditious trial.

In view of the above, the revision petition is allowed. The order of eviction impugned in the petition is set aside. The petitioner is granted leave to contest the eviction petition, which consequently stands restored and revived on the file of the concerned Additional Rent Controller (ARC) for it to be taken up further in accordance with law.

For such purposes, the parties are directed to appear before the ARC on 20th February, 2018.

Needless to add, the petitioner, who is the respondent before the ARC will be obliged to file his written statement which he must do on the date afore-mentioned for first appearance and shall not seek any further adjournment for such purposes.

Given the advanced stage of the respondent/landlady, it is hoped and trusted that both sides will extend full cooperation to the ARC for expeditious proceedings. In case so required, the respondent/landlady has the liberty to make necessary prayer before the ARC, or before the superior forum, for necessary directions in this regard.

The revision petition stands disposed of with these directions.

R.K.GAUBA, J.

JANUARY 24, 2018

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