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

+ C.R.P. 218/2018 & CMs 41490-91/2018

SANTOSH & ANR

..... Petitioners

Through: Mr. V.K. Gautam and Mr. Nishant
Sharma, Advocates

versus

RAM PRASAD

.....Respondent

Through: Ms.Surbhi Gupta, Advocate

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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05.10.2018

Received on transfer.

Impugned order of 29th August, 2018 dismisses petitioners' application for rejection of plaint by observing that petitioners in their reply to the Legal Notice have asserted that they are co-owners in the subject premises.

Learned counsel for petitioners draws attention of this Court to paragraph No.3 of the impugned order to point out that the stand of respondent-Plaintiff is that the rental of the subject premises is rupees five hundred per month. So, it is submitted that the jurisdiction to entertain the dispute raised in the suit lies with the Rent Controller and not with the Civil Court.

Upon hearing, I find that the plea of petitioners is that they are co-owners and therefore, petitioners' application has been rightly

dismissed by trial court. Finding no substance, this petition and the applications are dismissed.

(SUNIL GAUR)
JUDGE

OCTOBER 05, 2018

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