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

+ **RC.REV. 707/2019**

ASHA JAIN

..... Petitioner

Through Mr. Shiv Charan Garg with Mr. Imran
Khan and Mr. Yash Mittal, Advs.
versus

SUSHILA SHARMA

..... Respondent

Through None.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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23.12.2019

CM APPL.55307/2019 (exemption)

Exemption is allowed subject to all just exceptions.

RC.REV. 707/2019

1. Learned counsel for the petitioner submits that the Rent Controller has incorrectly mentioned that some of the pleas stated in the application under Order VII Rule 11 CPC have not been taken in the application seeking leave to defend. He seeks leave to withdraw the petition with liberty to raise all the pleas taken in the leave to defend application at the time of the arguments on the leave to defend application.
2. Petition is, accordingly, dismissed as withdrawn.
3. It is clarified that the leave to defend application filed by the petitioner shall be considered on its merits without being influenced

by anything stated in order dated 30.11.2019.

4. It is further clarified that any points not taken in the leave to defend application but taken only in the application under Order VII Rule 11 CPC will not be taken into consideration by the Rent Controller at the time of the consideration of the leave to defend application.

5. Order *Dasti* under signatures of the Court Master.

6. Copy of the order be also forwarded to the Rent Controller for compliance.

SANJEEV SACHDEVA, J

DECEMBER 23, 2019
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