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

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Judgment delivered on: 18.12.2020

+ CM(M) 615/2020

SH. NAND LAL & ORS.

..... Petitioners

versus

SH. ALLAUDDIN & ORS.

..... Respondents

Advocates who appeared in this case:

For the Petitioner:

Ms. Shalini Kapoor, Mr. Dikshant Khanna, Ms. Bindita Chaturvedi and Mr. Sangram Singh, Advocates.

For the Respondent:

Mr. P.K. Rawal, Advocate.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. The hearing was conducted through video conferencing.
2. Petitioner seeks a direction to the Additional Rent Controller to expedite the proceedings and to decide the leave to defend application in a time bound manner.
3. Learned counsel points out to order dated 10.12.2020 of the Additional Rent Controller whereby the application under Order 22 Rule 4 CPC to bring on record the LRs of the deceased respondent has been adjourned to July, 2021 for filing reply and arguments on the said application.
4. Perusal of the order dated 10.12.2020 shows that the Additional

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Signing Date: 19.12.2020 10:51:54
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to HMJ Sanjeev Sachdeva.

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Rent Controller has given a date of 22.07.2021 for reply/arguments on the application under Order 22 Rule 4 CPC on the ground that fresh urgent matters are being received and leave to defend matters under Section 14(1)(e) of DRC Act are pending before the Court and in view of the high pendency a shorter date is not possible.

5. The present eviction petition was filed in the year 2016 and leave to defend application was filed as far back in October, 2016 and arguments on the leave to defend application have been pending for over four years.

6. The Additional Rent Controller has to expedite older cases rather than defer older cases on the ground that fresh applications seeking leave to defend are coming before the Court.

7. Keeping in view the fact that this petition has been pending for over four, the Additional Rent Controller is directed to expedite the proceedings and dispose of the same in an expeditious manner.

8. List the eviction petition before the Additional Rent Controller for directions on 12.01.2021.

9. Mr. Rawal, learned counsel appearing for the respondent No.1 submits that though he had appeared for the LRs of the deceased respondent on 10.12.2020 before the Trial Court, he has not received any further instructions from them. He however, assures that on the next date before the Additional Rent Controller he shall be representing both the respondent No.1 and the proposed LRs of respondent No.2.

10. The Additional Rent Controller shall expedite the proceedings and endeavour to dispose of the leave to defend application within six months of the next date being fixed by this Court.

11. The petition is disposed of in the above terms.

12. Copy of the Order be uploaded on the High Court website and be also forwarded to learned counsels through email.

SANJEEV SACHDEVA, J.

DECEMBER 18, 2020

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