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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CM(M) 747/2019

GADDI SAHJOBAI CHARITABLE TRUST (REGD) Petitioner

Through: Mr. Vishal Bhatnagar & Mr. Nitin
Sharma, Advocates (M-9313674756)

versus

M/S AMAR NATH PYARE LAL

..... Respondent

Through: Mr. Narender Arora, Advocate (M-
9891156046)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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31.01.2020

The petition has been preferred against order dated 1st February, 2017 by which the eviction petition was dismissed for non-prosecution as well as order dated 2nd November, 2017 whereby an Order IX Rule 9 CPC application was also dismissed. The appeal against the order dated 2nd November, 2017 was also dismissed on 7th February, 2019.

The Petitioner is the landlord and it is submitted on behalf of the Petitioner that only on one occasion i.e. on 1st February, 2017, the Petitioner's counsel could not reach the Court and hence the suit was dismissed. Considering that the Petitioner is a Trust and the petition was being followed up continuously since 2015, the impugned orders are set aside subject to payment of costs of Rs.10,000/- to the Respondent/Tenant. The costs shall be paid on or before the next date before the Trial Court.

The petition is restored to its original number. Parties to appear before

the Trial Court on 18th February, 2020.

The petition and all pending applications are disposed of in these terms.

PRATHIBA M. SINGH, J.

JANUARY 31, 2020

Rahul