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

+ **RC.REV. 57/2021**

DHARAMVEER SIINGH @ ANR

.....Petitioners

Through: Mr. Aman Preet Singh Rahi,
Mr. Kamal Anand and Mr. Puneet
Thakur, Advocates

versus

RADHEY SHYAM

.....Respondent

Through: *Appearance not given*

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

02.08.2024

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1. The present revision petition is filed under section 25B of the Delhi Rent Control Act, 1958 (hereinafter referred to as the “**Act**”) read with sections 115/151 CPC to impugn the judgment dated 04.08.2020 passed by the court of District & Sessions Judge (HQ), Rent Control Tribunal, Central, Tis Hazari Courts, Delhi.

2. The petitioners filed eviction petition bearing E no. 172/16 (New no. 481018/16) titled as **Dharamveer Singh & Anr. V Radhey Shyam** under section 14(1)(a) of the Act. The trial court vide order dated 27.02.2018, passed under section 15(1) of the Act directed the respondent to pay the arrears of rent w.e.f. January, 2014 @ Rs.250/- per month and further directed that the future rent shall be paid on or before 15th day of each English calendar month. The trial court also passed the necessary directions for payment of arrears of rent.

3. The petitioners being aggrieved, filed an appeal bearing RCT no.



149/2019, which was decided vide judgment dated 04.08.2020 passed by the court of District & Sessions Judge (HQ), Rent Control Tribunal, Central, Tis Hazari Courts, Delhi.

4. The counsel for the petitioners observed that in para no. 14 of the impugned judgment, the observation made by the Rent Control Tribunal was totally unwarranted and uncalled for, which reads as under:-

14. Thence, trial court records, as traversed briefly above, convey that the allegation of the respondents in these cases that their previous counsel colluded with the appellants and misguided them, so that their defence would be struck off paving easy way for the eviction orders, cannot be disbelieved as a ruse.

5. The counsel for the respondent argued that in the impugned judgment, the Rent Controller Tribunal made observation on the basis of material available on record.

6. In the humble opinion of this court, the observation made by the Rent Control Tribunal regarding the collusion of previous counsel for the respondent with the petitioners was uncalled for and unwarranted and accordingly, ordered to be deleted. No other point is raised on behalf of the counsel for the petitioners.

7. The present revision petition stands disposed of.

8. The trial court is directed to expedite the trial of the eviction petition.

DR. SUDHIR KUMAR JAIN, J

AUGUST 2, 2024

N/AK