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

+ **RC.REV. 35/2024**

MOHD. YAKUB THROUGH LEGAL HEIRS MOHD. HAROON &
ORS. Petitioners

Through: Mr Manu Nayar and Ms Samvartika
Pathak Adv.

versus

SH. NAWAL KISHORE DECESAED THROUGH LEGAL HEIR
SMT SARITA & ORS. Respondents

Through: Mr R.K. Saini and Ms Neelam Saini
Adv.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **05.02.2024**

[Physical Hearing/Hybrid Hearing (as per request)]

CM APPL.6896/2024 (exemption)

1. Allowed, subject to just exceptions.

RC.REV. 35/2024 & CM APPL.6895/2024 (stay)

2. The petitioners/tenants have assailed order of the learned Additional Rent Controller whereby leave to contest the proceedings under Section 14(1)(e) of the Delhi Rent Control Act was declined. According to the petitioners/tenants, subsequent to the impugned eviction order, the eviction petitioner Shri Nawal Kishore for whose personal bonafide need the eviction was sought passed away.

3. Learned counsel for respondents/landlords who has appeared on advance notice discloses that this is the third revision petition against the same order.



4. Learned counsel for petitioners/tenants fairly admits having not pleaded about the previous revision petitions and explains that the first revision petition was a composite petition covering the eviction order and order passed in review application and second revision petition was challenging the review order. The first revision petition, according to learned counsel was withdrawn with liberty to file afresh. However, learned counsel for petitioners/tenants submits that it is only inadvertence which led to non-disclosure. That being so, learned counsel for petitioners/tenants seeks and is allowed to withdraw this revision petition with liberty to file fresh petition after disclosure of complete facts.

5. Accordingly, the revision petition as well as the pending applications are dismissed as withdrawn.

GIRISH KATHPALIA, J

FEBRUARY 5, 2024/as

Click here to check corrigendum, if any