



\$~38

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

+ **RC.REV. 156/2019 & CM APPL. 11904/2019**

MOHD SAJID

.....Petitioner

Through: **Mr. Basant Kr. Singh, Advocate**

versus

FARAH SWALEH

.....Respondent

Through: **Mr. T. N. Saxena, Mr. V. K. Verma,
Mr. Aakash Shankar, Mr. Abhiman
Sharma, Advocates**

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

12.08.2024

%

1. The respondents filed an eviction petition under section 14(1)(e) read with section 25 B of Delhi Rent Control Act, 1958 against the petitioners in respect of the tenanted premises i.e., One shop situated at ground floor of the property bearing no.2395-2402, measuring about 290 sq. yards situated at Ward No.6, Chasma Building, Ballimaran, Delhi-110006.
2. The petitioner after service of the summons as per the Third Schedule of the Act, filed an application for leave to defend which was ordered to be dismissed vide order dated 26.11.2018. The petitioner also filed an application under Order 6 Rule 17 CPC which was also dismissed vide order dated 26.11.2018 passed by the court of Sh. Prashant Sharma, SCJ-cum-RC, Central District, Tis Hazari Courts, Delhi. The petitioner being aggrieved filed the present petition.
3. During the course of the arguments, the counsel for the respondent in



his fairness stated that the leave to defend may be granted to the petitioners but trial court be directed to conclude the trial arising out of eviction petition bearing no.78775/2016 titled as **Smt. Farah Swaleh V. Mohd. Sajid** preferably within a period of 06 months from today.

4. After considering all facts and in view of the submissions made by the counsel for the respondents, the leave to defend is accordingly granted to the petitioner to contest the eviction petition bearing no.78775/2016 titled as **Smt. Farah Swaleh V. Mohd. Sajid**.

5. Accordingly, the present petition is disposed of with the direction to the trial court to conclude the trial arising out of eviction petition bearing no.78775/2016 preferably within a period of 06 months from the date of receipt of this order.

6. It is expected that the respective counsel for the parties shall cooperate in the early conclusion of the trial and shall not be seeking any adjournment on unjustified ground.

7. The petitioners and the respondents are directed to appear before the trial court on 27.08.2024 at 02:30 P.M. for further directions.

DR. SUDHIR KUMAR JAIN, J

AUGUST 12, 2024

j/abk