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

+ **RC.REV. 145/2020, CM APPL. 10800/2020, CM APPL. 46059/2022,
CM APPL. 28029/2024 & CM APPL. 29331/2024**

JOGINDER SINGH

.....Petitioner

Through: **Mr. Joby P. Varghese and Ms. Aby P.
Varghese, Advocates with petitioner
in person**

versus

YOGESH NARAIN GUPTA & ORS

.....Respondents

Through: **Mr. Arvind Kumar, Advocate**

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

06.08.2024

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1. The present revision petition is filed under section 25B(8) of the Delhi Rent Control Act, 1958 (hereinafter referred to as the “Act”) read with section 151 of CPC to impugn the order dated 04.12.2019 passed by the court of Sh. Puneet Pahwa, Additional Rent Controller-02, Central District, Tis Hazari Courts, Delhi.

2. The respondents filed an eviction petition under section 14(1)(e) read with section 25B of the Act against the petitioner in respect of the tenanted premises forming part of the property bearing no. 13902, Plot no. 47-48 (10521), Zone-15, Gali no. 4 Bagichi Illaiddin, Motia Khan, Paharganj, Delhi -110055 (hereinafter referred to as the “tenanted premises”), which was let out for residential purpose.



3. The petitioner after service of 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 04.12.2019 by the court of Sh. Puneet Pahwa, Additional Rent Controller-02, Central District, Tis Hazari Courts, Delhi. The petitioner being aggrieved, filed the present petition.
4. The counsel for the petitioner stated that the petitioner in the application for leave to defend along with an affidavit, raised various triable issues including the existence of relation of landlord and tenant between the parties and the proper identification of the tenanted premises with other issues which require appropriate consideration by the court.
5. After some arguments, the counsel for the respondents stated that the leave to defend may be granted to the petitioner but the trial court be directed to expedite the trial of the eviction petition bearing no. E-235/2016 (New no. 80909/2016) titled as **Yogesh Narain Gupta & Ors. V Joginder Singh**, preferably, within a period of 06 to 09 months.
6. Accordingly, in view of the submissions, the impugned order dated 04.12.2019 is set aside and the petitioner is granted leave to defend to contest the eviction petition bearing no. E-235/2016 (New no. 80909/2016) titled as **Yogesh Narain Gupta & Ors. V Joginder Singh**. The trial court is directed to conclude the trial preferably, within a period of 09 months from the date of receipt of this order. The petitioner and the respondent are directed not to seek adjournment without any justified reason and also to cooperate in early conclusion of trial.
7. The petitioner and the respondents are directed to appear before the concerned trial court on 12.08.2024 at 2:30 PM for further directions.



8. Copy of this order be sent to the trial court for information and compliance.

DR. SUDHIR KUMAR JAIN, J

AUGUST 6, 2024

N/TK