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

+ **RC.REV. 152/2023**

SURAJ PRAKASH TANWAR

.....Petitioner

Through: Mr. M. K. Sharma, Mr. Abhinav
Sharma, Ms. Vishakha and
Mr. Abhishek Chaudhary, Advocates

versus

RAMESH CHAND

.....Respondent

Through: Mr. Kamal Gupta, Advocate

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

16.08.2024

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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**”) to impugn the judgment dated 25.04.2023 whereby the application for leave to defend was granted to the respondent by the court of Ms. Sheetal Chaudhary Pradhan, SCJ-cum-RC, New Delhi, Patiala House Courts in eviction petition bearing RC ARC no. 12/2022 titled as **Suraj Prakash Tanwar V Ramesh Chand**.
2. The petitioner filed an eviction petition under section 14(1)(e) of the Act bearing RC ARC no. 12/2022 titled as **Suraj Prakash Tanwar V Ramesh Chand** against the respondent in respect of the tenanted premises i.e. WZ-1643-D, Nangal Raya, New Delhi-110046 measuring 45’X20’ (approx), as shown in red colour in the site plan annexed with the petition.
3. The respondent after service of summons as per the Third Schedule of the Act, filed an application for leave to defend, which was ordered to be allowed vide order dated 25.04.2023 whereby the trial court observed that



the respondent has raised certain triable issues in the application for leave to defend.

4. The respective counsel for the petitioner and the respondent stated that after completion of pleadings before the trial court, evidence on behalf of the petitioner has already been commenced.

5. The counsel for the petitioner stated that the petitioner is more than 70 years old and the present petition can be disposed of by giving direction to the trial court to conclude the trial arising out of eviction petition bearing RC ARC no. 12/2022, preferably, within a period of 03 to 04 months.

6. The petitioner is stated to be aged about more than 70 years. After considering all facts, the present petition along with pending application, if any, stands disposed of with the direction to the concerned trial court to conclude the trial arising out of the eviction petition bearing RC ARC no. 12/2022, preferably, within a period of 06 months from the date of receipt of this order.

7. The counsel for the petitioner and the respondent are directed to cooperate in early conclusion of trial and they shall not be seeking any adjournment on unjustified ground unless the adjournment is granted by the trial court.

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

DR. SUDHIR KUMAR JAIN, J

AUGUST 16, 2024

N/abk/ak