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

+ **RC.REV. 122/2024 & CM APPL. 25358/2024**

SH. RAMESH SINGH

.....Petitioner

Through: Ms. Murtaza Husain, Advocate
versus

SH. LAKSHMAN SINGH

.....Respondent

Through: Dr. Monika Singhal and
Mr. Abhishek Gautam, Advocates

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

% **24.07.2024**

1. The present revision petition is filed under section 25B(8) of the Delhi Rent Control Act, 1958 to impugn the order dated 01.02.2024 passed by the court of Ms. Neetu Sharma, CCJ-cum-ARC, (Central), Tis Hazari Courts Delhi whereby the application for leave to defend filed on behalf of the petitioner was dismissed, as a consequence of which, an eviction order was passed in respect of the tenanted premises.
2. The respondent filed an eviction petition on the ground of bonafide requirement as per section 14(1)(e) read with section 25(B) of the Delhi Rent Control Act, 1958 in respect of the property bearing no. 2075-76, Basti Peepal Wali, Sadar Bazaar, Delhi.
3. The petitioner after service of summons as per 3rd schedule, filed an application for leave to defend which was ordered to be dismissed vide impugned order dated 01.02.2024. The Petitioner being aggrieved, filed the present petition.
4. The counsel for the petitioner argued that the trial court has not passed the impugned order after appreciating the material placed on record in right



perspective and the impugned order is suffering from glaring mistakes of facts and law. However a perusal of the impugned order reflects that the trial court has considered all the relevant facts and all essential ingredients of section 14 (1)(e) of Delhi Rent Control Act,1958 and passed a reasoned order. The impugned order dated 01.01.2024 does not call for any interference.

5. The counsel for the petitioner after taking instructions from the petitioner, stated that the petitioner be given time upto 31.03.2025 to vacate the tenanted premises with the condition that petitioner shall not sublet/assign or part with the possession of tenanted premises and shall not carry out any material addition, alteration in the tenanted premises. The petitioner shall also continue to pay the agreed rent @ Rs.330 per month on or before on the last day of each English calendar month. The petitioner has also undertaken clear all the electricity and water charges before vacating the tenanted premises.

6. Dr. Monika Singhal, Advocate for the respondent on instructions, stated that the respondent does not have any objection if the petitioner is given time upto 31.03.2025 to vacate the tenanted premises subject to the conditions as mentioned hereinabove.

7. Accordingly, the petitioner is granted time upto 31.03.2025 to vacate the tenanted premises subject to the condition that he shall not sublet, assign or part with the possession of tenanted premises or any part thereof to any third person and shall not carry out any material addition or alteration in the tenanted premises and the petitioner is further directed to pay the agreed rent till he vacates the tenanted premises on or before the last day of each English calendar month and is also directed to clear water and electricity



charges to concerned authority before vacating the tenanted premises.

8. The petitioner is also directed to file an undertaking in the form of an affidavit to the said effect before this court within a period of 02 weeks.

9. The present petition, along with pending application, stands disposed of.

DR. SUDHIR KUMAR JAIN, J

JULY 24, 2024

sk/am