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

+ **CM(M) 2473/2024**

JITENDER KOCHAR

..... Petitioner

Through: Mr. P.S. Bindra, Sr. Adv. with Mr. Gobind Malhotra, Mr. Lovish Sharma, Mr. Rakshit Pandey, Ms. Namrata Malhotra, Mr. Rehan Saifi and Mr. Rakesh Dhiman, Advs.

versus

JAGDISH CHAND JAIN (SINCE DECEASED) THROUGH

LEGAL HEIR YOGESH JAIN

..... Respondent

Through: Mr. Pravesh Thakur and Mr. Yogesh Jain, Advs.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

21.05.2024

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1. The present petition has been filed under Article 227 of the Constitution of India, 1950 seeking appropriate directions to the learned Additional Rent Controller, Shahdara District, Karkardooma Courts, Delhi (hereinafter referred to as "ARC") for expeditiously disposing of the eviction petition filed by the petitioner bearing RC ARC No. 153/2020 titled as "Jitender Kochar v. Jagdish Chand Jain (sine deceased) through his son and legal heirs Yogesh jain."

2. The learned counsel for the petitioner submits that the petitioner is a



senior citizen of 71 years age who has filed an eviction petition under Section 14(1) (e) of Delhi Rent Control Act on 12.10.2020 bearing ARC No. 153/2020 against the tenant/respondent and since then the petition is pending execution.

3. The learned counsel for the petitioner submits that the arguments on the application for leave to defend were addressed before the learned ARC, however, the matter is to be argued fresh as the previous Presiding Officer has been transferred.

4. It is submitted by learned counsel for the petitioner that in such circumstances, the directions be passed for the learned Additional Rent Controller, Shahdara District, Karkardooma Courts, Delhi (“ARC”) to dispose of the application for leave to defend on the next date of hearing i.e. on 25.05.2024 or by concluding the arguments on 25.05.2024 and to be disposed of on a subsequent date.

5. Learned counsel for respondent appears and accepts notice and submits that present petition is not maintainable as the petitioner has not come with the clean hands and he is misusing the process of law.

6. The learned counsel for the petitioner has taken this court through various orders passed by the learned ARC.

7. Having considered the above, the learned ARC is directed to expeditiously dispose of the petition.

8. With above observation, the present petition stands disposed of.

SHALINDER KAUR, J.

MAY 21, 2024/SDS