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

+ **CM(M) 2475/2024**

JITENDER KOCHAR

..... Petitioner

Through: Ms. P.S. Bindra, Senior Advocate
with Mr. Gobind Malhotra, Mr.
Gurpreet Singh & Mr. Rehan Saifi,
Advocates

versus

OM PRAKASH

..... Respondent

Through: Mr. C.M. Grover, Advocate

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **02.05.2024**

CM APPL. 25776/2024—Exp.

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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1. This is a petition under Section 227 of the Constitution for seeking directions to the learned Additional Rent Controller, Shahdara District, Karkardooma Court for expeditious disposal of eviction petition filed by the Petitioner bearing ARC No. 148/2020 titled as “*Jitender Kochar Vs. Om Prakash*”.

2. Learned counsel for the Petitioner submits that the Petitioner is a senior citizen, aged about 71 years and he filed the eviction petition under Section 14 (i) (e) of the Delhi Rent Control Act in the year 2020. Respondent/tenant filed an application for leave to defend in the year 2021 but such application is still pending disposal and has not been disposed of. Learned counsel further points out that during this period, arguments have

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been heard number of times, but the application could not be disposed of due to one or the other reason.

3. Issue notice.

4. Sh. C.M. Grover, Advocate, present in court on advance notice, accepts notice on behalf of the respondent.

5. At joint request, the matter is taken up for consideration. Learned counsel for the respondent has submitted that by filing the present petition, petitioner is in fact trying to pressurise the trial court. It is submitted that the learned Trial Judge has recently joined upon transfer and may need some time before deciding the application.

6. Admittedly, the eviction petition is pending since last four years but the application for leave to defend has not been disposed. The Court is also mindful that due to Covid-19, the Courts were paralyzed for some period of time. Be that as it may, in view of the submissions made, the Court is of the opinion that it would be in the interest of justice to allow the prayer of the Petitioner to direct the learned Additional Rent Controller to take up the matter in all earnest and make an endeavour to dispose of the same at the earliest. The learned trial court shall also make an endeavour not to grant unnecessary adjournments and ensure that the application is disposed of in accordance with law at the earliest.

7. Petition is disposed of accordingly.

RAVINDER DUDEJA, J.

MAY 02, 2024/*RM*

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