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

% *Date of decision: 10<sup>th</sup> July, 2024*

+ CM(M) 2887/2024 & CM APPL. 38249/2024 & CM APPL. 38250/2024

ANOOP KUMAR GUPTA .....Petitioner

Through: Mr. Abhishek Sharma, Advocate

versus

RAJA JAIN .....Respondent

Through: Mr. Om Prakash & Mr. Durgesh Gupta, Advocates

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ JAIN**

**J U D G M E N T (oral)**

**CM APPL. 38250/2024**

Exemption allowed subject to all just exceptions.

**CM(M) 2887/2024 & CM APPL. 38249/2024**

1. Petitioner is defending eviction petition file under Section 14(1)(h) of Delhi Rent Control Act, 1958.
2. Learned counsel for the respondent/landlord appears on advance notice and accepts notice.
3. The eviction petition in question is now fixed for final arguments on 16<sup>th</sup> instant.
4. The grievance of the petitioner is very limited and he merely wants concerned official from the Office of Sub-Registrar to be examined for the purpose of proving two sale-deeds. He also wants his wife to enter into witness box.
5. Admittedly, when tenant i.e. petitioner Mr. Anoop Kumar Gupta entered into witness box before the learned Rent Controller on 20.05.2024, he made reference to said two sale deeds which were marked as Mark



RW1/1 and Mark RW1/2. Learned counsel for the respondent states that though the objection was taken with respect to the mode of proof of said two sale-deeds when the affidavit was tendered by the tenant before the learned Trial Court on 20.05.2024, he subsequently made a specific statement before the Court of learned ARC that he was not disputing the authenticity and genuineness of these two documents and these may be, therefore, read in evidence. Today also, learned counsel for the respondent has stated that he has instructions to that effect and would not object to the copies of sale-deeds which are already placed before the Court of learned ARC and have been given number as Mark RW1/1 and Mark RW1/2.

6. To the above extent, therefore, the grievance of the petitioner herein is adequately taken care of.

7. I need not to lay emphasis that the present petition pertains to eviction on the ground of acquisition of property by a tenant. When asked as to what would be the relevancy behind examination of the wife of tenant, no satisfactory answer could be provided and, therefore, there is no reason to grant any further opportunity to petitioner/tenant to lead further evidence, particularly, in light of the fact that case is now fixed for final arguments.

8. Finding no substance and merit in the present petition, the same is dismissed.

9. It is, however, clarified that this Court has not expressed any opinion whatsoever with respect to the merit of the case.

**(MANOJ JAIN)**  
**JUDGE**

**JULY 10, 2024/dr**