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

% ***Date of decision: 15th July, 2024***

+ **CM(M) 2921/2024**

SHRI ASHOK KUMAR JAINPetitioner

Through: Mr. Shiv Charan Garg with Mr. Imran
Khan, Ms. Jahanvi Garg and
Mr. Raghav Garg, Advocates.

versus

MR GURPREET SINGHRespondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

CM APPL. 39240/2024 (exemption)

Exemption allowed subject to all just exceptions.

CM(M) 2921/2024

1. Petitioner filed a petition seeking eviction of his tenant on the ground of bonafide requirement as provided under Section 14(1)(e) of the Delhi Rent Control Act, 1958.
2. The grievance in the present petition is very limited.
3. It is prayed that the learned Trial Court may be directed to conduct speedy trial.
4. The reasons assigned are manifold.



5. Firstly, it is a case whereby the eviction is being sought on bonafide requirement and, therefore, such trial needs to be fast-tracked. Secondly, petitioner is 79 years of age and the very purpose of filing the eviction petition must stand frustrated if the matter is delayed any further. On top of the above, the attention of the Court has also been drawn towards various previous orders passed by the learned Trial Court from time to time. It is contended that the petitioner herein had submitted his affidavit before the learned Trial Court way back on 13.02.2019 and same day, the witness was cross-examined in part and his further cross-examination was deferred. Thereafter as many as six dates have been taken but the respondent has yet not concluded the cross-examination of the petitioner.

6. It is also informed that on one earlier occasion, i.e. on 26.09.2023, the counsel for the respondent was waited but he came late and even started arguing with the Court in an aggressive and rude manner and keeping in mind the facts recorded in said order, further request on behalf of the counsel for the respondent to cross-examine the petitioner was closed. It compelled the respondent herein to file a petition before this Court which was registered as CM(M) 1834/2023. By filing said petition, the tenant had challenged the aforesaid order dated 26.09.2023. However, the petition was not pressed and the counsel for the tenant sought leave from the Court to file appropriate application before the learned Trial Court tendering his unconditional apology.

7. Admittedly, such application was filed and the apology was



also accepted by the learned Trial Court.

8. However, the cross-examination is yet inconclusive.

9. The next date before the learned Trial Court is 19.07.2024.

10. Keeping in mind the overall facts and circumstances of the case and the number of opportunities already availed by the respondents/tenant, the present petition is disposed of with direction that the learned Trial Court would take up the present eviction petition on priority basis and would endeavour to dispose it of within a period of six months from today.

11. As far as possible, the cross-examination of the petitioner may be conducted on day-to-day basis so that there is no further delay in the matter.

12. Petition is, accordingly, disposed of.

13. Copy of the order be given Dasti under the signatures of the Court Master.

(MANOJ JAIN)
JUDGE

JULY 15, 2024
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