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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 2949/2024 & CM APPL. 40243/2024**
SONIA VENUGOPAL & ANR.

.....Petitioner
Through: Mr. Kartikeya Rastogi, Advocate.

versus

TAANI KAPOOR

.....Respondent
Through: None.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
% **19.07.2024**
CM APPL. 40244/2024 (Exemption)

Exemption allowed, subject to all just exceptions.

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1. Respondent, who is a widow, has filed a petition seeking eviction of a tenant (petitioners herein) by invoking Section 14D of the Delhi Rent Control Act, 1958 (DRC Act).
2. When the aforesaid eviction petition was pending, both the petitioners herein i.e. tenants took preliminary objection with respect to the maintainability of the petition under Section 14D of DRC Act. However, their such contention did not find favour either with the learned Trial Court or with the learned Rent Control Tribunal and that is how the present petition has been filed.
3. I have also gone through the averments made by the respondent in her

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eviction petition. Admittedly, she is a widow and in her petition, she has specifically averred that tenanted premises were let out by her husband and father-in-law.

4. Thus, the basic averments made in petition have to be even otherwise, assumed to be true at this initial juncture.

5. After hearing arguments for some time, Mr. Kartikeya Rastogi, learned counsel for the petitioners states that without prejudice to their rights and contentions, the petitioners may be permitted to withdraw the present petition. He supplements that they would establish, during the trial, that the petition could not have been filed as the premises in question were not let out by husband of the respondent.

6. The present petition is accordingly dismissed as not pressed.

7. Needless to say, if the case is eventually put to trial, the petitioners would be at liberty to substantiate that the petition was beyond the scope of Section 14D of DRC Act.

MANOJ JAIN, J

JULY 19, 2024/ss