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

% ***Date of decision: 22nd July, 2024***

+ **CM(M) 2967/2024**

SUBHASH CHANDER

.....Petitioner

Through: Mr. Mukesh Goyal with Ms. Disha
Sharma, Advocates.
(through video conferencing)

versus

DEEPAK KATHURIA

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

CM APPL. 40620/2024 & CM APPL. 40621/2024 (exemption)

Exemption allowed subject to all just exceptions.

CM(M) 2967/2024

1. Petitioner has filed a petition under Section 14(1)(e) of Delhi Rent Control Act, 1958 before the Court of learned Additional Rent Controller. Undoubtedly, the eviction petition has been filed by taking recourse to the procedure prescribed under Chapter IIIA of the Delhi Rent Control Act.
2. The eviction petition filed under Section 14(1)(e) of Delhi Rent Control Act, 1958 needs to be fast-tracked, particularly, keeping in mind the objective behind incorporating Chapter IIIA of the Delhi Rent Control Act, 1958.



3. The petitioner is aggrieved that the tenant has already filed an application seeking leave to defend but such application has been adjourned by the learned Trial Court by a period of around 8 months.
4. The attention of this Court has been drawn towards order dated 27.05.2024 whereby the petitioner had prayed for a shorter date. However, keeping in mind the heavy pendency, the learned Trial Court could not accommodate the petitioner and has rather fixed up the matter for arguments on leave to defend on 27.01.2025.
5. As per the information available on the website, the pendency before said Court is less than 2000 and the number of eviction petitions pending before said Court is less than 100.
6. Be that as it may, keeping in mind the fact that it was a petition seeking eviction on the ground of bonafide requirement and the fact that there is a summary procedure prescribed for taking up such matters, the learned Trial Court should have accommodated the petitioner instead of giving such a long date.
7. In view of the aforesaid, the petition is disposed of with the direction that the petitioner would move a fresh application seeking early hearing before the learned Trial Court and the learned Trial Court, after hearing both the sides, would give a shorter date for the purposes of consideration of the aforesaid application seeking leave to defend and would endeavour to dispose the same as expeditiously as possible.



8. The petition is, accordingly, disposed of.
9. Copy of the order be given *Dasti* under the signatures of the Court Master.

(MANOJ JAIN)
JUDGE

JULY 22, 2024
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