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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RC.REV. 231/2024 & CM APPL. 49381/2024, CM APPL.
49382/2024, CM APPL. 49675/2024

ANIL KUMAR

.....Petitioner

Through: Mr. Manvendra Mukul, Mr. S K
Tiwari, Mr. J K Pandey, Advocates

versus

AMARNATH GUPTA

.....Respondent

Through:

CORAM:
HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER
29.08.2024

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1. The present revision petition is filed under section 25(B) (8) of the Delhi Rent Control Act, 1958 (hereinafter referred to as “**the Act**”) to impugn the order dated 22.05.2024 (hereinafter referred to as “**the impugned order**”) passed by the court of Ms. Neetu Sharma, CCJ-cum-ARC, Central District, Tis Hazari Courts, Delhi(hereinafter referred to as “**the trial court**”) in case bearing RC ARC no 75/2023 titled as **Amarnath Gupta V Anil Kumar** whereby the application for leave to defend filed by the petitioner was dismissed.

2. The respondent filed an eviction petition bearing no. RC ARC 75/2023 under section 14(1)(e) read with section 25B of the Act against the petitioner on the ground of *bona fide* need claiming to be the owner of the property bearing no. L-234, measuring 50 sq. yds., Shastri Nagar, Delhi



(hereinafter referred to as “**the tenanted premises**”) and the said tenanted premises was let out to Lalta Prasad i.e., predecessor interest of the petitioner. The petitioner after the death of Lalta Prasad became the tenant in respect of the tenanted premises.

3. The petitioner after service of summons as per the third schedule of the Act, filed an application for leave to defend wherein he claimed that an alternate accommodation was available with the respondent. The application for leave to defend filed by the petitioner was dismissed vide the impugned order dated 22.05.2024 by the trial court after considering all the relevant facts pertaining to section 14(1)(e) of the Act and as a consequence of which, an eviction order was passed in favor of the respondent.

4. The petitioner being aggrieved filed the present petition.

5. The perusal of the impugned order dated 22.05.2024 reflects that the trial court has observed that there is no dispute regarding the relationship between the landlord and tenant, and has also considered the fact that the need of the respondent for the tenanted premises was genuine. The trial court has also reasonably dealt with the issue of the availability of alternate accommodation with the respondent as alleged by the petitioner. There is no infirmity or illegality in the impugned order dated 22.05.2024 passed by the trial court as the same was passed after proper appreciation of the material on record.

6. Accordingly, the present petition along with pending applications stands dismissed.

DR. SUDHIR KUMAR JAIN, J

AUGUST 29, 2024/j/abk