



2024:DHC:7427



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% ***Date of decision: 24th September, 2024***+ **CM(M) 3467/2024 & CM APPL. 56191-56193/2024****SHRI VIRENDER KUMAR GUPTA & ANR.Petitioners****Through: Mr. Akash Shukla with Mr. Sagar
Bhardwaj, Advocates.****versus****PRAMOD KUMAR TANDONRespondent****Through: Mr. Basant Gupta, Advocate.
(through V.C.)****CORAM:****HON'BLE MR. JUSTICE MANOJ JAIN****JUDGMENT (oral)**

1. Petitioner is defending an eviction petition filed on the ground of subletting.
2. When the matter was taken up by the learned Trial Court on 13.08.2024, noticing that the previous cost had not been paid, and no other RW was present, the RE was directed to be closed.
3. Learned counsel for the respondent/landlord appears on advance notice through video conferencing.
4. When asked, learned counsel for the petitioner/tenant contended that he would merely examine one official from Sales Tax Office and would ensure that steps are taken in this regard and the witness is produced before the learned Rent Controller on the date fixed i.e. 07.10.2024. He also ensures that on said date, the previous unpaid



cost of Rs.10,000/- shall also be cleared.

5. In view of the above, the petition is disposed of with the direction that the petitioner would take requisite steps in order to summon said official from Sales Tax Office on the date fixed i.e. 07.10.2024. He would be entitled to only one effective opportunity in this regard and would also clear the unpaid cost on the same date.

6. The learned Trial Court would be at liberty to hear final arguments after recording of the evidence of the above said RW, depending on its board position.

7. In the meanwhile, for the purposes of issuing formal summons to said witness, the petitioner would be at liberty to move appropriate application before the learned controller so that the summons are issued to such witness, well in advance.

8. The petition stands disposed of in the aforesaid terms.

(MANOJ JAIN)
JUDGE

SEPTEMBER 24, 2024/st