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

+ **RC.REV. 46/2025, CM APPL. 7343/2025**

MOHD TAHIR ASLAM QADRI

.....Petitioner

Through: Mr. S.S. Nizami, Mr. M.F. Nizami,
Advs.

versus

SAEEDA BEGUM

.....Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

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07.02.2025

CM APPL. 7344/2025 [For exemption for filing dim/illegible copies]

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

RC.REV. 46/2025, CM APPL. 7343/2025 [For stay]

3. The present Petition has been filed by the Petitioner/tenant impugning an order dated 02.09.2024 passed by Ld. ARC (Central), Tis Hazari Courts, Delhi [hereinafter referred to as 'Impugned Order']. By the Impugned Order, the Application for Leave to Defend/contest filed by the Petitioner/tenant was dismissed. The premises in issue is shop on ground floor of property bearing No. 4324, National Market, Kucha Pandit, Lal Kuan, Delhi-110006 [hereinafter referred to as 'subject premises'].
4. The primary contention of the learned Counsel for the Petitioner/tenant is that during the pendency of the Eviction Petition, the Petitioner/tenant purchased right in the subject premises from the co-owner



of the subject premises. The learned Trial Court examined this aspect of the matter and found that the Respondent was the landlady and owner of the subject premises.

5. After some arguments, learned Counsel for the Petitioner/tenant seeks permission to withdraw the present Petition and submits that he will be taking appropriate steps in accordance with law in pursuance of his claim to the title of the subject premises. Liberty is, however, sought by the learned Counsel for the Petitioner/tenant that the findings of the learned Trial Court in paragraph 13 shall not come in the way of the Petitioner's/tenant's challenge to the title of the subject premises.

6. Liberty as sought for is granted, *albeit* in accordance with law.

7. The present Petition is accordingly dismissed as withdrawn. Pending Application stands closed.

8. The parties shall act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

FEBRUARY 7, 2025/jn

[Click here to check corrigendum, if any](#)