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

+ **RC.REV. 107/2023**

PUSHPA DEVI

.....Petitioner

Through: Mr. S.N. Parashar, Adv.

versus

SATISH CHANDER KAPOOR

.....Respondent

Through: Mr. Rahul Lal Akhriya, Adv.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

19.02.2025

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1. The present Petition seeks to challenge an order dated 13.02.2023 passed by learned ACJ-cum-CCJ-cum-ARC(E), Karkardooma Courts, Delhi [hereinafter referred to as "Impugned Order"] in respect of premises at Kapoor Garments, front corner shop admeasuring 7.6 ft x 10 ft. at property bearing No. E-6/739, Ganesh Nagar-II, Shakarpur, Delhi as shown in red colour in the site plan annexed with the Eviction Petition [hereinafter referred to as "subject premises"].
2. By the Impugned Order, the learned Trial Court has held that triable issues have been raised by the Respondent/tenant and has granted Leave to Defend/Contest on the sole ground/issue of availability of alternate suitable accommodation with the Petitioner/landlord.
3. After some arguments, learned Counsel for the parties submit that the parties limit their relief in the present Petition to an expeditious trial.
4. Learned Counsel for the Petitioner submits that the evidence of the



Petitioner is underway before the learned Trial Court. He submits that one more witness is yet to be examined.

5. Learned Counsel for the Respondent also submits that the Respondent will examine two witnesses only.

6. Learned Counsel for the parties, on instructions, submit that they will conclude their respective evidence within a period of six months from today.

7. The statements of the learned Counsel for the parties are taken on record. The Petitioner and the Respondent are bound down by the statement made by their Counsel before the Court today.

8. It is also directed that no unnecessary adjournments shall be taken by either party before the learned Trial Court.

9. The present Petition is accordingly disposed of in the foregoing terms.

10. It is however clarified that the Court has not examined the matter on merits.

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

TARA VITASTA GANJU, J

FEBRUARY 19, 2025/jn

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