



\$~46

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 560/2025 & CM APPL. 17502-17503/2025**
MOHD SULEMAN SIDDIQUIPetitioner
Through: Mr. Aatrya Singh with Mr. Rajiv
Kumar Trivedi, Mr. Anshul
Kulshreshtha, Ms. Afifa Yasmin,
Advocates.

versus
MOHD RIZWAN & ANR.Respondent
Through: Mr. Manish Phore, Advocate.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **09.05.2025**

1. The Eviction Petition under Section 14(1)(e) read with Section 25-B of Delhi Rent Control Act, 1958 has been filed by Mohd. Rizwan and Mst. Rukhsar Begum.
2. The petitioner herein is their tenant.
3. Since the petition had been filed under summary procedure, the ground being of *bona fide* requirement, on receiving the process, the tenant already filed an application seeking *leave to defend*.
4. However, before the arguments could be heard on such application seeking *leave to defend*, the tenant sought permission to place on record certain document, which request has been declined *vide* order dated 27.02.2025.
5. Such order is under challenge.
6. Mr. Manish Phore, learned counsel for respondents/landlords has appeared through *video conferencing* and submits that he has already filed *vakalatnama* in the present matter.
7. After hearing arguments for some time, learned counsel for



respondents submits that, without prejudice to his rights and contentions, he would have no objection if, instead of, giving tenant any permission to place on record document, they are giving an opportunity to file additional affidavit in a time-bound manner, referring to the abovesaid documents, with an opportunity to him also to file reply-affidavit.

8. Learned counsel for the petitioner has no objection in this regard and submits that he would file additional affidavit by next date of hearing.

9. In view of the above and keeping in mind overall facts, learned Rent Controller shall take on record such additional affidavit, to be read in conjunction with application seeking *leave to defend* and then would also give opportunity to landlord to file reply-affidavit.

10. Thereafter, learned Rent Controller would be at liberty to hear arguments on application seeking *leave to defend* and to dispose that of in accordance with law.

11. The present petition stands disposed of in aforesaid terms.

12. It is, however, made clear that this order has been passed on the basis of the statements of the counsel, based on instructions of the parties and is without prejudice to their respective rights and contentions.

13. Order *dasti* under the signatures of the Court Master.

14. Pending applications also stand disposed of in aforesaid terms.

MANOJ JAIN, J

MAY 9, 2025/sw/shs