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

+ **RC.REV. 139/2025, CM APPL. 24112/2025-Stay**

NIRMALA KOHLI

.....Petitioner

Through: Mr. Amit Saxena, Mr. Kaustabh
Bhardwaj, Mr. Ajay Sejwal and Ms.
Namrata Bhatia, Advs.

versus

HOTEL ZODIAC PVT LTD

.....Respondent

Through: Mr. Ajay Gupta and Mr. Siddharth
Gupta, Advs.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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10.09.2025

1. This order is in continuation of the earlier orders dated 24.04.2025, 29.07.2025, 14.08.2025 and 03.09.2025.
2. Learned counsel for the petitioner/ tenant reiterates that the petitioner/ tenant is willing to vacate the subject premises on or before 31.10.2025, *albeit*, without paying any user and occupation charges.
3. Learned counsel for the respondent/ landlord, on the other hand, submits that the subject premises involved has already been sublet by the petitioner/ tenant to the third party, and the petitioner/ tenant is resultantly earning as much as Rs.3,00,000/- per month towards rent thereof. He submits that, in any event, the petitioner/ tenant has not paid rent for the past ten years, moreover, till date, petitioner/ tenant has also failed to pay any amount towards user and occupation charges.
4. Considering the aforesaid fact and circumstances, there is nothing



surviving in the present petition. As such, it is deemed appropriate to dismiss the present petition without interfering with the impugned order dated 14.10.2024 passed by learned CCJ-Cum-ARC, Central Tis Hazari Courts, Delhi in RC ARC 152/2019 titled as “***Hotel Zodiac Pvt. Ltd. v. Nirmala Kohli***”, whereby the eviction petition of the respondent/ landlord was allowed and the petitioner/ tenant was directed to handover vacant and physical possession of the subject premises being one shop situated at ground floor in property Municipal No.7A/5 situated at W.E.F, Karol Bagh, New Delhi to the respondent/ landlord.

5. Accordingly, the present revision petition along with the pending application is dismissed.

6. Needless to say, the respondent/ landlord shall be free to recover the user and occupation charges *qua* the subject premises from the petitioner/ tenant through appropriate proceedings, in accordance with law.

SAURABH BANERJEE, J

SEPTEMBER 10, 2025/So