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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 02nd May, 2025

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CM(M) 813/2025 & CM APPL. 26596-26597/2025
SURENDER KUMAR JAIN THR CK JAIN & ANR.

.....Petitioner

Through: Mr. Nikhil Singhvi, Mr. Aditya Singla, Ms. Supriya T., Mr. Mohit Seth and Mr. S. Kumar, Advocates.

versus

DEEN DAYAL SONI & ANR.

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner has filed a petition seeking eviction of his tenant on the ground of *bona fide* requirement.
2. During the pendency of the abovesaid Eviction Petition, the tenant raised objection with respect to *Power of Attorney* and made submission that it was inadequately stamped and, therefore, was liable to be impounded.
3. Such *Power of Attorney* was, accordingly, impounded by the learned Rent Controller *vide* order dated 04.09.2024 and was directed to be sent to the Collector concerned for requisite stamping.
4. Learned Controller also observed that once the *Power of Attorney* is received back after requisite stamping, it would, thereafter, hear arguments on *leave to defend* application.
5. The grievance in the present petition is very short and precise.



6. It is submitted that the stamping has yet not taken place and, therefore, the learned Trial Court is not in a position to hear arguments on *leave to defend* application. It is, therefore, prayed that the appropriate direction be passed to the learned Trial Court to hear the arguments on *leave to defend* application, without waiting for the outcome of the proceedings with respect to the stamping of the document in question.
7. However, after hearing arguments for some time and with the consent of the learned counsel for petitioner/plaintiff, the present petition is disposed of with direction to the concerned Authority i.e. learned Sub Divisional Magistrate, Kotwali, 14, Daryaganj, Delhi-110006, to expedite the requisite process of stamping of the abovesaid document in terms of communication received by it *vide* letter dated 20.01.2025 bearing No. F.No.1/SDM/DC/2024-25/339. Let needful be done, preferably, within a period of four weeks from today so that the learned Controller is in a position to hear arguments on *leave to defend* application.
8. The present petition stands disposed of in aforesaid terms.
9. Pending applications, if any, stand disposed of.
10. A copy of this order be sent to learned SDM, Kotwali, 14, Daryaganj, Delhi-110006, by the Registry for information and compliance.

(MANOJ JAIN)
JUDGE

MAY 2, 2025/ss/SS