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IN THE HIGH COURT OF DELHI AT NEW DELHI

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RC.REV. 229/2020 & CM APPL. 28168/2020

SHAKUNTALA @ SAROJ ANR

.....Petitioner

Through: Mr. A.K. Suri, Mr. Ankit Kansal,
Mohd. Syed Aefan and Mr. Manoj
Manderna, Advocates.

versus

SALIMA BEGUM

.....Respondent

Through: Advocate through VC (appearance
not given)

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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26.11.2025

1. Since learned counsel for the tenant is reiterating the very same arguments he did on the last date of hearing, for ease of convenience, the order dated 21.11.2025 passed by this Court is reproduced as under:-

“1. Of the many grounds taken by the petitioner/ tenant in the present petition, learned counsel for the tenant has primarily contended that the learned ARC erred by placing reliance upon the registered Sale Deed, even though, admittedly, there was no such document on record therein.

2. Learned counsel for the tenant further contends that the tenant against whom the present eviction petition was filed by the landlord was not in actual possession of the subject premises, since it was/ is one of her sisters who has been in possession thereof, however, not residing therein.

3. In the considered opinion of this Court, qua the aspect of the registered Sale Deed, since the landlord had in the very first paragraph of his Eviction Petition clearly asserted about the existence of a registered Sale Deed, which, was not denied by the



tenant anywhere in the Considering that the learned counsel for the tenants appearing through video conferencing submits that the tenants are not in actual possession of the subject premises as also since the learned counsel for the tenants has been unable to show any reason which calls for interference with the impugned order, which has been passed by the learned ARC after dealing with all the assertions made by the parties, particularly, with the aspect of the landlord-tenant relationship being established between the parties; bona fide requirement of the landlord and the availability of any other alternative suitable and reasonable accommodation with the landlord application seeking leave to defend as also the affidavit filed therewith, the same stood admitted on the part of the tenant and there was no reason for the learned ARC to disbelieve the same.

4. *Similarly, in the considered opinion of this Court, the sister of the tenant being in occupation of the subject premises is irrelevant, since the tenant has not denied that she is one of the daughters/ Legal Representatives (LRs) of the original tenant i.e. Late. Smt. Ramawati, the mother of the tenant herein, as also since the said sister did not portray to be in possession of the subject premises and/ or never filed any application of any nature before the learned ARC. Therefore, the said issue is not worthy of being entertained by this Court in the present revision proceedings.”*

2. In view thereof, and since today also learned counsel for the tenants has been unable to argue any further to bring forth/ show any reason which calls for interference with the impugned order by this Court. In any event, the learned ARC while passing the said impugned order has dealt all the assertions made by the parties herein, particularly, also with the aspects of the *landlord-tenant relationship* being established between the parties; *bona fide requirement* of the landlord and the availability of any



other suitable and reasonable *alternative accommodation* with the landlord.

3. As such, in view of what has been held by the Hon'ble Supreme Court in ***Sarla Ahuja vs. Union India Insurance Company Ltd.***, (1998) 8 SCC 119 and ***Abid-Ul-Islam vs. Inder Sain Dua***, (2022) 6 SCC 30, the present matter is not a fit case for this Court to exercise its jurisdiction under *Section 25B(8)* of the DRC Act.

4. Accordingly, the present petition alongwith the pending applications, if any, stands dismissed.

5. Needless to say, considering that the statutory period of six months as available to the tenants under *Section 14 (7)* of the Delhi Rent Control Act, 1958 is already over, the tenants are liable to vacate and handover the peaceful possession of the subject premises in terms of the impugned order dated 19.02.2020.

SAURABH BANERJEE, J

NOVEMBER 26, 2025/So