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

\# **CNR No. DLHC010134612026**

\+ RC.REV. 106/2026 & CM APPL. 21441/2026 (Stay)

MODH RAMZAN .....Petitioner

Through: None

versus

MRS ZAHIDA BEGUM .....Respondent

Through: Appearance not given

CORAM:
HON'BLE MR. JUSTICE HARISH VAIDYANATHAN SHANKAR

O R D E R

% 06.10.2026

1. The present Petition under Section 25-B(8) of the Delhi Rent Control Act seeks the following reliefs:-

> "a. Set aside and reversed the impugned Order dated 26.09.2025, passed by the Ld. Additional Rent Controller-01 (Central District), Tis Hazari Courts, New Delhi in the Eviction Petition filed by the Respondent herein/Petitioner therein bearing Eviction Petition No.80759/2016; b. Allow the petitioner's leave application, granting him the requisite leave to contest the eviction petition of the petitioner by filing his written statement and to lead evidence during trial before the Ld. A.R.C. in accordance with law; c. Pass any such order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case and in the interest of justice."

2. None appears on behalf of the Petitioner.

3. The record reflects that, *vide* Order dated 06.04.2026, learned counsel appearing for the Petitioner had sought *"reasonable time"* for the Petitioner to vacate the subject premises. The relevant portion of the aforesaid Order is reproduced hereinbelow:

> "4. During the course of the arguments, learned counsel appearing

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> on behalf of the petitioner submits that reasonable time may be granted to the latter to vacate the subject premises."

4. Subsequently, *vide* Order dated 08.05.2026, learned counsel for the Petitioner, on instructions from the Petitioner, who was present in person, submitted that the Petitioner would vacate the subject premises on or before 31.12.2026. In view thereof, the Petitioner was directed to place on record an Affidavit of Undertaking to the said effect before the next date of hearing, i.e. 20.07.2026. The relevant portion of the aforesaid Order is reproduced hereinbelow:

> "2. Learned counsel for the petitioner, on the instructions of the latter, who is present in the Court today, submits that petitioner shall vacate the subject property on or before 31.12.2026. Let an affidavit of undertaking to this effect be placed on record by the petitioner before the next date of hearing."

5. The matter could not be taken up on 20.07.2026 on account of paucity of time. It is, however, noted that despite the specific direction issued by this Court, no Affidavit of Undertaking has been filed by the Petitioner till date. Further, none appears on behalf of the Petitioner today to seek any further indulgence or to explain the continued non-compliance with the aforesaid direction.

6. In the aforesaid circumstances, particularly when the Petitioner has neither placed on record the undertaking pursuant to which time had been sought to vacate the subject premises nor appeared before this Court today, this Court finds no reason to keep the present proceedings pending. The limited indulgence earlier sought on behalf of the Petitioner was itself predicated on the representation that the subject premises would be vacated by 31.12.2026. Further, the present Petition was not pressed on merits. In the absence of any further appearance or request on behalf of the Petitioner, no further Order is warranted in the present proceedings.

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7. The Respondent shall, accordingly, be at liberty to take such steps as may be available in law for execution of the Eviction Order.

8. In view of the foregoing discussion, the present Petition shall stand dismissed.

9. Accordingly, the present Petition, along with pending Application(s), if any, stands disposed of in the aforesaid terms.

HARISH VAIDYANATHAN SHANKAR, J

OCTOBER 6, 2026/rk/ma

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