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

+ RC.REV. 140/2023, CM APPL. 26958/2023, CM APPL. 26960/2023

LALIT KUMAR CHAUHAN

.....Petitioner

Through: Mr. Bharat Jain, Adv. (through VC)

Versus

PARVEEN KUMARI @ POOJA

.....Respondent

Through: Mr. Jatin Rajput, Mr. Rajesh Kumar Jha, Mr. Varun Panwar, Mr. Sandeep Kumar and Mr. Rajendra Pratap Singh, Advs.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

05.02.2026

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1. The present matter is received on transfer.
2. This Court, on 19.12.2025, after conclusively hearing the learned counsel for the parties, passed a detailed order on merits and thereafter, as sought by learned counsel for the petitioner/ tenant, only granted time to the erstwhile counsel for the tenant to obtain instructions *qua* time period for vacation of the subject premises and user and occupation charges therefor. For the sake of convenience, the said order dated 19.12.2025 is reproduced hereunder: -

*“1. By virtue of the present petition, the petitioner/ tenant seeks setting aside of the judgment dated 27.02.2023 (**impugned judgment**) passed by Administrative Civil Judge-cum-Additional Rent Controller, North-West District, Rohini Courts, Delhi (**learned ARC**) in RC ARC No. 5377/2016, wherein the eviction petition of the respondent/*



landlord has been allowed and resultantly, an eviction order was passed against the tenant.

2. It is the case of the tenant that the learned ARC has erroneously passed the impugned judgment in flagrant violation of principles of natural justice without hearing his objections. He submits that the tenant was under bona fide presumption that the Eviction Petition was disposed of in his favour, as informed by his erstwhile counsel before the learned ARC, and therefore he did not take any action qua the same from his side.

3. Learned counsel for the tenant submits that on 18.04.2022, the right of the tenant was closed on account of non-appearance of the tenant's counsel as well as non-filing of the list of witnesses or evidence, which has resulted in subsequently passing of the order of eviction against him. He submits that the tenant being completely oblivious of the above, and only came to know about it on 27.03.2023, when he was informed by his neighbour that the landlord was planning to sell the subject premises as she has got an eviction order in her favour.

4. Learned counsel for the tenant submits that the tenant has been prejudiced by the inaction of his counsel and against whom, the tenant had already lodged a complaint before the Bar Counsel of Delhi. As such, he submits that the tenant cannot be made to suffer due to the mistakes committed by its counsel.

*5. Learned counsel for the tenant then submits that, in any case, the learned ARC had passed the impugned judgment in utter disregard to the well settled principles of the Delhi Rent Control, Act (**DRC Act**) and therefore, the impugned judgment deserves to be set aside.*

6. Per contra, learned counsel for the landlord at the outset has handed over a copy of the order-sheets of the proceedings before the learned ARC. Referring thereto, he submits that since 10.09.2020, there was no appearance on behalf of the tenant. As such, learned ARC has rightly passed the impugned judgment and there is no requirement of any interference by this Court, much less under revisional



jurisdiction.

7. *Heard learned counsel for the parties as also perused the record.*

8. *Considering the assertions made by the tenant in the present petition as also the arguments addressed by the learned counsel for the tenant qua the same, this Court is, prima facie, not convinced with the same.*

9. *Though the right of the tenant to lead evidence was closed and he was proceeded ex-parte vide order dated 18.04.2022, the proceedings were listed before the learned ARC on several occasions thereafter. However, neither was there any appearance on his behalf on any such occasion nor did he initiate any action whatsoever against the said order. In fact, the order sheets of the proceedings before the learned ARC reveals that the tenant was himself appearing of and on along with the erstwhile counsel, however, since 18.04.2022 he abruptly stopped appearing, for which he has no reasons. Moreover, though the tenant claims to have been apprised of the impugned order by one of his neighbours only on 27.03.2023, he has not divulged any iota of information as to who was/ is the neighbour.*

10. *Even on merits, as apparent from the records, the tenant had only made bald, vague and unsubstantiated assertions, without producing any evidence to that effect, which has been rightly discarded by the learned ARC in the well reasoned impugned judgment.*

11. *Taking a holistic view of the overall proceedings involved, as also since the tenant was himself sleeping on his rights, the tenant has hardly been able to make out a case requiring interference by this Court and that too in revisional jurisdiction, where the scope itself is limited.*

12. *Considering the same, the present petition is liable to be dismissed and impugned order deserves to be upheld.*

13. *However, at this stage, learned counsel for the tenant seeks, and is granted a period of four weeks to obtain instructions qua the feasible time period within which the tenant would vacate the subject premises and hand over the possession thereof to the landlord, along with the terms of*



payment qua user and occupation charges for the concerned period”

3. Pursuant thereto, today, Mr. Bharat Jain, learned counsel appearing for the tenant submits that he has recently been engaged and will file his *vakalatnama*. He then submits that the tenant is willing to vacate the subject premises within a period of one year, however, he has no instructions *qua* the payment of user and occupation charges for the same.

4. In response to the aforesaid, learned counsel for the respondent/ landlord submits that the said offer of the tenant is not acceptable to the landlord.

5. At this stage, learned counsel for the tenant submits that he wishes to address fresh/ new arguments, which, as per him, were not urged by the previous counsel before this Court.

6. Though, learned counsel for tenant seeks to address fresh/ new arguments, however, considering the detailed, and conclusive, findings rendered by this Court *vide* order dated 19.12.2025, since learned counsel for tenant has not come with any acceptable response in terms thereof within the stipulated period of *four weeks*, learned counsel for tenant cannot be permitted to commence all over again.

7. In view thereof, the present petition is dismissed and the impugned judgment dated 27.02.2023 passed by the learned ARC is upheld.

8. Considering that the period of six months granted by the learned ARC to the tenant in pursuance of *Section 14(7)* of the Delhi Rent Control Act, 1958, is already over, the tenant is liable to handover the vacant, peaceful and physical possession of the subject premises to the landlord in



compliance of the impugned order dated 27.02.2023.

9. Accordingly, the present petition is disposed of.

SAURABH BANERJEE, J

FEBRUARY 5, 2026/bh