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

+ **RC.REV. 250/2025 & CM APPL. 52161/2025**

PRAVEEN GUPTA

.....Petitioner

Through: Mr. Yudhishter Sharma & Ms.
Vanshita Singh, Advs.

versus

VIKRAM SINGH

.....Respondent

Through: Mr. Jayant Singh Chauhan, Adv.
(through VC).

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **22.04.2026**

1. This hearing has been done through hybrid mode.
2. The present petition under Section 25B(8) of the Delhi Rent Control Act, 1958, (for short, 'DRCA') read with Article 227 of the Constitution of India, 1950, seeks the following prayers:-

“a) Set aside the impugned ex-parte eviction order dated 23.04.2025, passed in RC ARC no. 347/2024, by the court of Ms. Arjinder Kaur, the then Ld. ARC- 02 (Central District), Tis Hazari Courts, Delhi, being titled as Sh. Vikram Singh Vs. Sh. Praveen Gupta.

b) Call the record of the Ld. Trial Court, in order to examine the legality of the impugned ex-parte eviction order dated 23.04.2025.

c) Any other or further order as this Hon'ble court deem fit and proper, it may also kindly be passed for fair play and good conscious.”

3. By virtue of the present petition, the petitioner/tenant seeks the setting



aside of the *ex parte* impugned order dated 23.04.2025, passed in RC ARC No.347/2024 by the learned ARC-02 (Central District), Tis Hazari Courts, Delhi titled as, '*Sh. Vikram Singh v. Praveen Gupta*'.

4. The respondent/landlord filed an eviction petition under Section 14(1)(e) read with Section 25-B of the DRCA before the Court of learned ARC, wherein notice was issued on 06.06.2024, whereafter, the respondent/landlord moved an application under Order V Rule 20 of the Code of Civil Procedure, 1908 (CPC), which was specifically allowed by the learned ARC on 19.12.2024.

5. Since there was no appearance on behalf of the petitioner before the learned ARC thereafter, an *ex parte* eviction order dated 23.04.2025 was passed in favour of the respondent/ landlord, asking the petitioner/ tenant to vacate the said property in terms thereof.

6. Learned Predecessor Bench of this Court on 26.08.2025 had passed the following order:-

“7. Be that as it may, a perusal of the eviction petition filed by the respondent before the learned ARC reads as under:-

“18(a): Grounds on which the eviction of the tenant is sought:-... .

(ii.) That the respondents are the tenants in respect of the different part of property Lal Piyare Lal Ki Dharamshala, House.No.61 Gali Raja Kedar Nath, Chawri Bazar, Delhi which is part of property bearing property No.1952 Old and New No.3855-56, area measuring 150 Sq. Yds. Approx.. situated at Charkhe Walan, Chawri Bazar, Delhi-110006 (which is more specifically shown in red colour in the site plan annexed) since 01.05.2023 initially at the monthly rent of Rs. 10,000/- per month excluding other charges and rent was increased time to time by the trustee/licensor, the said rate of



rent has been admitted by the respondents.”

8. In view of the above, since it is the own contention of the respondent/ landlord that it was receiving the monthly rent of Rs.10,000/- for the subject premises, it is sufficient for this Court to hold that the eviction petition filed by the said respondent/ landlord was, per se, beyond the purview of the DRC Act and was thus not maintainable before the learned ARC.”

(emphasis supplied)

7. On the last date of hearing, i.e., 14.01.2026, learned counsel for the respondent had sought time to examine the records, as he was recently engaged.

8. Today, learned counsel for the respondent, on instructions, fairly submits that in view of the above quoted averments made in the eviction petition, the same was not maintainable under the provisions of Delhi Rent Control Act. In view of the same, he submits that he has no objection if the present petition is allowed and prayers sought are acceded to, without prejudice to the rights and contentions of the respondent to initiate appropriate proceedings before the Court of competent jurisdiction/appropriate Forum in accordance with law.

9. In view of the above, the present petition is allowed and disposed of. The impugned *ex-parte* order dated 23.04.2025 is set aside.

10. Needless to state that the respondent is at liberty to initiate appropriate proceedings, if any, in accordance with law before the Court of competent jurisdiction/appropriate Forum.

11. Pending application(s), if any, also stands disposed of.

12. Copy of the order be sent to the learned ARC-02, Central, Tis Hazari Courts, Delhi, for necessary information and compliance.



13. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

APRIL 22, 2026/nk/ns