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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RFA 918/2025, CM APPL. 61562/2025, CM APPL.61563/2025
ANAND SHARMAAppellant

Through: Mr. Rajiv Nayar, Sr. Advocate with
Mr. Arman Roop Sharma, Ms.
Shimpy Arman Sharma and Mr Mohd
Aman Khan Afghani, Advocates.

versus

RAJENDRA KUMAR MOHATTARespondent
Through: Mr. Bharat Ahuja, Advocate.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **12.05.2026**

1. Regular First Appeal has been filed against the Judgment dated 10.09.2025 whereby in a landlord-tenant dispute the Decree of Possession has been passed under Order 12 Rule 6 CPC.
2. Learned Senior Advocate for the Appellant states that there was an Application under Order 7 Rule 11 CPC has also been filed which has been kept for hearing, even though the Suit has been decreed under Order 12 Rule 6 CPC.
3. Learned counsel for the Respondent clarifies that the Suit is still pending for Mesne Profits, Recovery of Arrears and Interest.
4. Essentially, to say that the Order is patently illegal as the Application under Order 7 rule 11 CPC has been kept pending, may not be correct.
5. Learned Senior Advocate seeks adjournment to address arguments on the main Appeal.
6. Learned counsel for the Respondent states that he has No Objection if



the Appeal is allowed and the learned Trial Court is directed to decide the Application under Order 7 rule 11 CPC and thereafter Application under Order 12 Rule 6 CPC.

7. It is submitted that the Respondent is an aged person of 82 years. It is a simplicitor case of landlord-tenant and, therefore, time may be fixed for deciding both the Applications.

Submissions heard and record perused.

8. In view of the submissions made, the impugned Judgment dated 10.09.2025 is hereby set aside and the case is remanded back to the learned Trial Court to first decide Application under Order 7 Rule 11 CPC and then Application under Order 12 Rule 6 CPC.

9. The learned Trial Court shall dispose of the matter deciding both the Application, within four months.

10. The Appeal is disposed of accordingly.

11. The parties are directed to appear before learned District Judge-01, Patiala House Courts, New Delhi on 18.05.2026.

NEENA BANSAL KRISHNA, J

MAY 12, 2026/VA