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

+ RC.REV. 474/2018 & CM APPL. 29452-29453/2024

JOGINDER SINGH ARORA

@ JUGWINDER SINGH ARORA

.....Petitioner

Through: None.

versus

RUPAN JAIN

.....Respondent

Through: Mr. Hardeep and Mr. Mohd. Abid,
Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **17.04.2026**

1. This hearing has been done through hybrid mode.
2. The present petition under Section 25B(8) of the Delhi Rent Control Act seeks following prayers:-

“In the facts and circumstances stated above the petitioner humbly prays to your Lord Ship to allow the present revision petition and set-aside the eviction order dated 05/04/2018 passed by Mr. Shirish Aggarwal Ld. ARC-1, Central District, Tis Hazari Court Delhi in case titled as Mrs. Rupan Jain versus Mr. Joginder Singh Arora vide eviction petition no. E-300 of 2013 New No. 78415/2016 in the interest of justice.

Any other relief which your lordship deems fit and proper be also awarded to the petitioner.”

3. None appears on behalf of the petitioner.
4. There was no appearance on behalf of the petitioner on the last three dates of hearing as well, i.e., 18.07.2025, 09.09.2025 and 14.04.2026.



5. *Vide* order dated 16.05.2024, the learned Predecessor Bench of this Court had passed the following directions: -

“1. In furtherance of last order, the petitioner/tenant has filed these applications seeking reduction of the use and occupation charges and stay on operation of the order dated 30.04.2024. The use and occupation charges were fixed on an application pending since 2022 for want of reply from the petitioner and the said order was passed in presence of counsel for both sides. No infirmity or error has been shown in the applications now filed. It is informed by counsel for petitioner that compliance with order dated 30.04.2024 has not been done till date on account of financial condition of the petitioner.

2. The petitioner is granted an opportunity to comply with order dated 30.04.2024 and clear the outstanding instalment of use and occupation charges in terms with order dated 30.04.2024 within one week, failing which the interim protection granted to the petitioner shall stand vacated.”

6. Perusal of the record would reflect that *vide* order dated 30.04.2024, the learned Predecessor Bench of this Court had fixed the rate of user and occupation charges at Rs. 15,000/- per month, and further passed the following directions: -

“4. Accordingly, the application is allowed thereby directing the petitioner/tenant to pay to the respondent/landlord a sum of Rs.15,000/- per month towards use and occupation charges for the period from 06.12.2018 when the operation of the eviction order was stayed till disposal of this petition. The arrears of use and occupation charges shall be paid in three equal installments on 15.05.2024, 15.06.2024 and 15.07.2024. The running use and occupation charges shall be paid on or before 7th day of each calendar month, starting from 07.05.2024. The entire amount of use and occupation charges shall be paid directly into the bank account of the respondent, particulars whereof shall be supplied by counsel for respondent to counsel for petitioner within three days. It is made clear that any default in payment of use and occupation charges



shall entail vacation of the stay on operation of the impugned eviction order.

CM APPL. 40660/2018 (stay)

5. In view of the above order and also keeping in mind that the operation of the impugned eviction order is being stayed since 06.12.2018 on date to date basis, the stay is made absolute. Accordingly, this application is allowed and subject to the petitioner/tenant ensuring strict adherence to the payment of use and occupation charges as directed above, operation of the impugned eviction order shall remain stayed till disposal of this petition.

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6. List for final arguments on 04.09.2024.”
7. The aforesaid orders dated 30.04.2024 and 16.05.2024 were challenged by the petitioner by way of SLP (Civil) no. 16763-16764/2024, which was dismissed by the Hon’ble Supreme Court *vide* order dated 05.08.2024.
8. *Vide* order dated 14.01.2026 the interim protection granted to the petitioner was vacated and the learned Execution Court was requested to proceed with the proceedings in accordance with law.
9. Learned counsel appearing on behalf of the respondent submits that possession of the subject premises has been taken over on 11.02.2026.
10. In view of the above, the present petition is dismissed in default for non-prosecution and disposed of accordingly.
11. Pending application(s), if any, also stands disposed of.
12. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

APRIL 17, 2026/sn/db