

# Ravinder Singh & Anr vs Naresh Kumar & Ors on 23 January, 2019

**Author: Anu Malhotra**

**Bench: Anu Malhotra**

\$~25

\* IN THE HIGH COURT OF DELHI AT NEW DELHI  
+ CM(M) 1040/2018  
RAVINDER SINGH & ANR ..... Petitioners  
Through: Mr.Praveen Suri, Advocate  
versus  
NARESH KUMAR & ORS ..... Respondents  
Through: Mr.Niraj Chaudhary, Advocate  
CORAM:  
HON'BLE MS. JUSTICE ANU MALHOTRA  
ORDER

% 23.01.2019 The respondent No.4 has not been served. It has been submitted however on behalf of the petitioner that the respondent No.4 is a proforma party and the brother of the petitioners No.1 and 2 and co-owner of the premises in suit in Eviction Petition No. 893/2014 presently pending before the ARC-01, Central District, Tis Hazari Courts.

Vide the present petition, the prayers made through the petitioner are to the effect:

"a)This Hon'ble Court may direct the Ld. Trial Court of Shri Shirish Aggarwal, ARC, District-Central, Tis Hazari Courts, Delhi in E.No. 78568/16/2014, titled as 'Ravinder Singh versus Naresh Kumar & others', to decide the leave to defend application in 3 months or in the time period as this Hon'ble Court may deem fit and proper, at the earliest;

b) Costs of the present petition be also awarded in favour of the petitioners and against the respondents.

c) Any other order as may be deemed fit and proper in view of the aforesaid facts and circumstances may also be passed in favour of the Petitioners and against the Respondents."

During the course of submissions that have been made on behalf of the petitioner all that the petitioner seeks is the expeditious disposal of the application filed by the respondents seeking leave to defend. Reference is made on behalf of the petitioner to the proceedings dated 25.8.2018 of the learned ARC-01 (Central) in the eviction petition instituted in the year 2014 as per its number Evictio petition 893/2014 whereby the matter is indicated to be listed for the date 2.4.2019 for arguments on the application for leave to defend with it having been observed to the effect that there

is a long date being given as there are sufficient number of cases listed on prior dates for arguments and that priority is being given to the cases which are pending for more than 10 years.

As the Eviction Petition 893/14 as submitted is a petition under Section 14(1)(e) of the Delhi Rent Control Act, 1958, which is filed on the grounds of bona fide requirements, on submissions having been made on behalf of either side, the learned ARC seized of the proceedings in Eviction Petition No.893/2014 is directed to dispose of the application seeking leave to defend filed in the said case listed for the date 2.4.2019 within a period of 30 days from the date 2.4.2019.

The petition is disposed of accordingly.

A copy of this order be sent to the learned ARC concerned through the District Judge concerned.

ANU MALHOTRA, J JANUARY 23, 2019/sv