

Bundu Khan (Deceased) Thr Lrs & Ors vs Sneh Mehta on 31 January, 2019

Author: Anu Malhotra

Bench: Anu Malhotra

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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ RSA 13/2019 & CM APPL. 3644-3645/2019
BUNDU KHAN (DECEASED) THR LRS & ORS..... Appellant
Through Mr. Absar Ahmad, Adv.

versus

SNEH MEHTA

Through None.

..... Respondent

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA
ORDER

% 31.01.2019 Exemption allowed subject to all just exceptions. The application is disposed of.

RSA 13/2019 & CM APPL. 3644/2019 Initial submissions made on behalf of the petitioner. Without any observations on the merits or demerits of the appeal, on a perusal of the impugned order dated 15.10.2016 of the Trial Court of the learned Civil Judge-02 (South), Saket in CS No. 82664/16 and the impugned judgment of the First Appellate Court dated 16.11.2018 of the learned ADJ- 04, South, Saket in RCA No. 20401/16 and the submissions made on behalf of the appellant, the substantial question of law formulated is to the effect : -

"1. Whether the jurisdiction of the Civil Judge would be barred in terms of the provisions of the Delhi Rent Control Act, 1958 in terms of Section 50 thereof.

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2. Whether Explanation-II of Section 2 of the Delhi Rent Control Act, 1958 was applicable to the facts and circumstances of the case before the Trial Court and First Appellate Court."

Notice of the appeal and accompanying applications and of the substantial question of law so formulated be issued to the respondent on taking of steps by the petitioner through all permissible modes, returnable on 27th March, 2019, till which date the operation of the impugned order is stayed.

Compliance of Order 39 Rule 3 CPC be made by the petitioner. Copy of the order be given Dasti under the signatures of the Court Master.

ANU MALHOTRA, J

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