

## **Mrs Nand Lal Bhardwaj And Ors. vs Jaspal Singh Sethi on 4 February, 1983**

**Equivalent citations: 1983(1)SCALE785A, 1984SUPP(1)SCC397**

**Bench: D.A. Desai, R.S. Pathak**

### **ORDER**

1. Special leave granted.

2. Having gone through the record and having heard Mr. Kailash Yasdev, learned Counsel for the appellants and Mr. H.N. Chowdhary, learned Counsel for respondent, we are satisfied that this is a matter in which leave to contest the petition of the respondent filed under Section 14(1) proviso (e) of the Delhi Rent Act ought to have been granted. And the other side so concedes. That has absolved us from the necessity of giving reasons to substantiate the conclusion. To avoid delay in disposal of the matter, after granting leave to contest the petition filed by the respondent-landlord for eviction on the ground of personal requirement, the matter must be remanded to the learned Rent Controller. Accordingly, we set aside the order of the learned Rent Controller as well as of the High Court refusing leave to contest the petition for eviction. By consent of the parties we grant leave to the appellant-tenant to contest the petition for eviction. Both the parties shall appear before the learned Rent Controller on February 25, 1983. The learned Rent Controller, subject to his board and calendar, may try to dispose of the matter as expeditiously as possible.

3. The appeal is disposed of accordingly.