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

+ CM(M) 1288/2017

RAJ PAL SINGH

..... Petitioner

Through: Mr. Amar Nath Saini and Ms. Preeti
Saini, Advs.

Versus

VASUDEV SUKHWANI & ANR

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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14.11.2017

CM No.41185/2017 (for exemption)

1. Allowed, subject to just exceptions.
2. The application is disposed of.

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3. This petition under Article 227 of the Constitution of India seeks time bound disposal of the application filed by the respondents for leave to defend the petition for eviction under Section 14(1)(e) of the Delhi Rent Control Act, 1958 filed by the petitioner as far back as on 17th September, 2014.

4. The Legislature, in Section 25B of the Act, has granted time of only 15 days to the tenant to apply for leave to defend, indicating a sense of urgency in deciding at least the stage of leave to defend in a petition filed by the *CM(M) 1288/2017*

landlord on the ground of self-requirement of the tenanted premises. The decision of the application for leave to defend the petition for eviction under Section 14(1)(e) of the Act filed by the petitioner has indeed remained pending for an unduly long period of more than three years and in which time the petition for eviction, even if leave to defend were to be granted, should be decided, after trial.

5. The list of dates of the petitioner does not show the petitioner to be responsible in any way for the delay.

6. It is deemed appropriate to issue directions for time bound disposal of the application for leave to defend.

7. For issuing such directions, need to issue notice to the respondents is not felt.

8. The petition is allowed; the Court of Additional Rent Controller (ARC)-1 (Central), Tis Hazari Courts, Delhi is directed to dispose of the application filed by the respondents for leave to defend the petition for eviction under Section 14(1)(e) of the Act filed by the petitioner and pending as E No.1054/2014 (New No.77749/2016) and listed next on 18th December, 2017, on or before 10th January, 2018.

9. A copy of this order be forwarded to the concerned ARC.

RAJIV SAHAI ENDLAW, J.

NOVEMBER 14, 2017

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