

16 RCT ARCT 8/26  
HIMANSHU MITTAL AND ANR  
Vs.  
TARA CHAND GUPTA SINCE DECEASED

06.02.2026

Present: Sh. Rakesh Srivastava and Sh. Ketan Marwah, Ld. Counsels for the appellant.  
Ms. Pooja Tandon, Ld. Counsel for the respondent.

On the LDOH, the TCR was summoned for today. However, perusal of the record which has been sent to the Court shows that the entire TCR has not been received and only the file pertaining to the proceedings under Section 14(2) of the DRC Act has been sent. **Let the robkar be issued for summoning the complete TCR for the NDOH.** The parties are directed to provide the details of the goshwara number/ correct particulars of the TCR.

Today, Ld. Counsel for the appellant has filed on record an application under Order VI Rule 17 CPC to amend the present appeal. Vide the present application, the appellant seeks liberty to challenge the main order or eviction order dated 14.08.2025, besides the order passed in exercise of powers under Section 152 dated 20.12.2025. Keeping in view the fact that the order dated 20.12.2025 has merged with the order dated 14.08.2025, Ld. Counsel for the respondent submits that she has no objection, in case, the amendment is allowed and the appellant be also permitted to challenge the order dated 14.08.2025. Accordingly, the present application is allowed and since the appellant only intends to incorporate the amendments in the prayer clause thereby reading as follows:

Quash/ set aside the impuged judgment / decree dated 14.08.2025/20.12.2025 passed by Sh. Gaurav Goyal : Ld. ARC: Central : THC: Delhi with cost.

**The present application is accordingly allowed** and the prayer clause at S.No. 1 is ordered to be read as follows:

**“ 1 Quash/ set aside the impuged judgment / decree dated 14.08.2025/20.12.2025 passed by Sh. Gaurav Goyal : Ld. ARC: Central : THC: Delhi with cost.”**

Ld. Counsel for the respondent submits that she would not be filing any reply to the present appeal as amended vide the present order and would be confining to the records of the present case. Ld. Counsel for the respondent has placed on record her relied upon judgments. Let the copy of the same to Ld. Counsel for the appellant during the course of the day.

List for arguments on **23.02.2026 at 2.00 PM**. The parties have jointly submitted that the execution petition as filed by the DH is coming up for hearing on 27.02.2026 and no coercive orders have been passed till date. It is made clear to the parties, that no adjournment in the present matter would be granted to either of them on NDOH and they are at liberty to file on record their brief written synopsis accompanied with the relied upon judgments / additional judgments.

**(Sachin Sood)**  
DJ-01 (Central)  
THC, Delhi/06.02.2026