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

+ RC.REV. 80/2026, CM APPL. 18357/2026 (stay)

MANISH KUMAR JAIN

.....Petitioner

Through: Mr. Himal Akhtar, (through Vc), Mr.
Juned Salmani, Advs.

versus

PRABHU DAYAL WADHWA

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **24.03.2026**

1. This hearing has been done through hybrid mode.

CM APPL. 18356/2026 (exemption)

2. Allowed, subject to all just exceptions. This application is allowed and disposed of.

CM APPL. 18358/2026 (delay in re-filing of 30 days)

3. The present application under Section 5 of the Limitation Act seeks condonation of delay of 30 days in re-filing the present petition.

4. For the reasons stated in the present application and in the interest of justice, the same is allowed and disposed of.

5. Delay of 30 days in re-filing the present petition is condoned.

RC.REV. 80/2026, CM APPL. 18357/2026 (stay)

6. The present petition under Section 25B (8) of the Delhi Rent Control Act, 1958 seeks the following prayers: -

“a) Set aside the Impugned Order dated 04.12.2025 passed by the Learned Senior Civil Judge-cum-Rent Controller, KKD/SHD/DELHI, in Eviction Petition bearing RC ARC 166/23,



titled "Manish Kumar Jain vs. Prabhu Dayal Wadhwa";

b) Reject the application for Leave to Defend filed by the Respondent under Section 25B(5) of the Delhi Rent Control Act, 1958;

c) Pass an order of eviction against the Respondent from the tenanted premises, i.e. Shop No. 2, situated at IX/6918, Arya Samaj Gali, Gandhi Nagar, Delhi- 110032; and

d) Pass any other or further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case, in favour of the Petitioner and against the Respondent."

7. Issue notice to the respondent on petitioner taking necessary steps through all permissible modes, including electronic mail, if any, returnable on 01.09.2026.

AMIT SHARMA, J

MARCH 24, 2026/kr/ah