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

+ **RC.REV. 147/2026 & CAV 187/2026, CM APPL. 28194/2026**

M/S GOGNA UDYOG AND ANR

.....Petitioners

Through: **Mr. Maneesh Kumar, Advocate**
(through VC).

versus

SMT NIRMAL VERMA

.....Respondent

Through: **Mr. Shiv Charan Garg and Ms. Jahanvi Garg, Advocates.**

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **28.04.2026**

1. This hearing has been done through hybrid mode.

CM APPL. 28195/2026 (Exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

RC.REV. 147/2026 & CAV 187/2026, CM APPL. 28194/2026

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

“i. Allow the present Revision Petition filed by the Petitioners and thereby set aside the Impugned Order dated 29.10.2025 passed by Sh. Vivek Kumar Agarwal, JSCC-cum-ASCJ-cum-Guardian Judge-02 (West), Tis Hazari Courts, Delhi (previously posted as ARC-02, Central), in RC/ARC/395/2024 titled "Smt. Nirmal Verma vs. Gogna Udyog & Ors.", and pass an order granting Leave to Contest/Defend the Eviction Petition in favour of the Petitioners herein;

ii. Stay the operation of the Impugned Order dated 29.10.2025 during the pendency of the present Revision Petition, and direct that no execution proceedings be initiated or proceeded with in respect of the eviction order passed in RC/ARC/395/2024; and/or



iii. In the alternative, remand the matter to the Ld. Additional Rent Controller with a direction to: (a) take on record the documents dated 29.08.2000, namely the General Power of Attorney, Agreement to Sell, Will Deed and Receipt, filed by the Petitioners along with their Rejoinder; and (b) decide the Application for Leave to Defend filed by the Petitioners afresh on merits, after affording both parties a reasonable opportunity of hearing, in accordance with law; and/or

iv. Pass such other or further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and in the interests of justice.”

4. Learned counsel appearing on behalf of the petitioners draws attention of this Court to the reply filed on behalf of the respondent to leave to defend application, wherein it has been admitted in the following manner:-

“It is matter of record that the Lease deed executed by Ms. Anju Patel and Raghav Verma (children of the plaintiff) to Virender for a portion of property bearing address 1855/1 to 1857, Ward No. IV, Chandni Chowk.”

5. It is pointed out that the eviction petition was filed for the bona-fide requirement of respondent/landlord's son, Raghav Verma but still the aforesaid fact showing alternate accommodation available was not dealt by the learned ARC at all, in the impugned order dated 29.10.2025.

6. A perusal of the impugned order dated 29.10.2025 reflects that the aforesaid has not been dealt with, by the learned ARC.

7. Issue notice.

8. Learned counsel appearing on behalf of the respondent accepts notice. Let response be filed within a period of four weeks. Rejoinder, if any, be filed within a period of two weeks thereafter.

9. Learned counsel appearing on behalf of the respondent submits that the



execution petition has not been filed and the same shall not be filed till the next date of hearing.

10. Let the parties place on record relevant documents for determination of use and occupation charges before the next date of hearing.

11. List on 21.09.2026.

AMIT SHARMA, J

APRIL 28, 2026/sn/ah