



\$~32

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

+ **RC.REV. 466/2019**

BRIJ MOHAN BHANDARI

.....Petitioner

Through: Mr. Ajit Singh and Mr.
Swayamprabha Saraswati, Advocates.

versus

SATISH KUMAR & ANR

.....Respondents

Through: Mr. Manik Dogra, Sr. Advocate with
Mr. Vivek Singh, Mr. Dhruv Pande
and Mr. Imon Bhattacharya,
Advocates.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

20.01.2025

%

CM APPL. 35550/2019 [Stay]

1. This Application has been filed seeking stay on the operation of Order dated 02.05.2019.
2. The record shows that the present Petition has been filed by the Petitioner/landlord seeking to challenge an Order dated 02.05.2019 passed by the learned Additional Rent Controller-02, Tis Hazari Courts, Delhi [hereinafter referred to as "Impugned Order"] by which the leave to defend/contest Application filed by the Respondents/tenants was allowed.
3. Learned Senior Counsel for the Respondents/tenants submits that the proceedings before the learned Trial Court had been stayed by this Court on 07.08.2019 and that the stay of proceedings has continued for the last 5 ½ years. Learned Senior Counsel for the Respondents/tenants requests that



without prejudice to the rights and contentions of the parties in this Petition, this matter be allowed to be continued before the learned Trial Court.

4. Learned Counsel for the Petitioner/landlord on the other hand submits that the Impugned Order suffers from an infirmity. He submits that there was in fact, no triable issue as the finding given by the learned Trial Court on the aspect of the landlord-tenant relationship and additional accommodation was not in accordance with the law.

5. In view of what is stated above, this Court deems it apposite to vacate the interim order dated 07.08.2019, and the matter may continue before the learned Trial Court.

6. It is ordered accordingly.

7. The Application is accordingly disposed of.

RC.REV. 466/2019

8. The parties seek and are granted time to file their short note of contentions in the matter at least one week before the next date of hearing, along with the compilation of judgments, if any, they wish to rely upon. All judgments sought to be relied upon shall be filed with an index which also sets out the relevant paragraph numbers and the proposition of law that it sets forth.

9. List on 22.04.2025.

10. At the request of learned Counsel for the parties, let the matter be not shown in the category of “For Final Hearing” in the cause list.

TARA VITASTA GANJU, J

JANUARY 20, 2025/pa

[Click here to check corrigendum, if any](#)