



\$~17

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

+ RC.REV. 175/2025

RANI GUPTA

.....Petitioner

Through: Mr. Jeevesh Nagrath, Sr. Adv.
(Through VC)

versus

SURINDER KUMAR & ORS.

.....Respondents

Through: Proxy Counsel (appearance not
given)

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

09.10.2025

%

1. Learned (senior) counsel for the landlord submits, that one of the basis on which the learned ARC has allowed the application seeking leave to defend of the tenant is that the daughter-in-law, for whom the landlord was seeking the subject premises was already earning, and thus, was not financial dependent on him, as also according to the learned ARC a triable issue was also raised on the basis of the fact that there was another alternative accommodation available to the landlord, which was, as per the case of the tenant, lying vacant.

2. *Prima facie*, this Court is not convinced with the aforesaid findings made by the learned ARC, particularly, since it was not within the realm of the learned ARC, and that too while adjudicating an application seeking leave to defend by the tenant, to traverse into the facts of earning and/ or



financial dependency of daughter-in-law upon the petitioner. More so, as per settled law, the landlord only has to show a genuine, honest and actual requirement of the subject premises.

3. Moreover, the case of the landlord was only *qua* a suitable and appropriate alternative accommodation, which is not be equated with an additional accommodation.

4. At this stage, learned proxy counsel for the tenant seeks adjournment for a period of *two weeks* for addressing arguments.

5. As such, renotify on 20.11.2025.

SAURABH BANERJEE, J

OCTOBER 9, 2025/Ab