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

+ RC.REV. 189/2025, CM APPL. 36459/2025, CM APPL. 36460/2025, CM APPL. 38043/2025, CM APPL. 38045/2025, CM APPL. 38584/2025, CM APPL. 38585/2025, CM 56560/25.

SMT BIRMATI AND ORSPetitioners
Through: Ms. Suman Kapoor, Adv.
versus

SH GIRISH GUPTARespondent
Through: Mr. Jai Sahai Endlaw and Mr.
Ashish Kumar, Adv.

CORAM:
HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER
09.09.2025

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1. After hearing learned counsel for the petitioners/ tenants for some time, it emerges that the primary, if not sole argument of the petitioners/ tenants is relating to the second Will of Mr. Sat Narayan Gupta, which, as per records, do not find any mention in the leave to defend application filed by them before the learned Additional Rent Controller (**ARC**), though it was filed along with the rejoinder thereof. In any event, by trying to take benefit thereof, the petitioners/ tenants are trying to set up a new case before this Court. This Court is thus, *prima facie*, not convinced with the said submission of learned counsel for the petitioners/ tenants.

2. This Court is also not convinced about the non-existence of the *landlord-tenancy relationship* inter the parties and/ or the absence of any *bona fide requirement* of the respondent/ landlord as also a plea of



alternative accommodations being available with the respondent/ landlord as argued by learned counsel for the petitioners/ tenants.

3. At this stage, learned counsel for the petitioners/ tenants seeks, and is granted, a period of four weeks to address arguments after placing reliance upon certain document(s) filed before the learned ARC for which the record from the learned ARC has to be summoned.

4. Accordingly, let a copy of the TCR be requisitioned in the digitized form within a period of *two weeks*.

5. Renotify on 19.11.2025.

SAURABH BANERJEE, J.

SEPTEMBER 09, 2025/bh