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

+ **RC.REV. 197/2025, CM APPL. 39777/2025**

MR SHAMEEM AHMEDPetitioner

Through: **Mr. M. Hasibuddin, Advocate.**

versus

MOHD SHAHID KHAN & ORS.Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **09.07.2025**

CM APPL. 39778/2025 (exemption)

Exemption allowed, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

RC.REV. 197/2025

By way of the present petition filed under section 25-B(8) of the Delhi Rent Control Act 1958, the petitioner impugns order dated 03.04.2025 passed by the learned CCJ-cum-ARC, Central District, Tis Hazari Courts, Delhi in eviction petition bearing RC ARC No. 251/2019.

2. Mr. M. Hasibuddin, learned counsel appearing for the petitioner submits, that though it is the admitted position between the parties that the petitioner's father Mustaq Ahmed was the original tenant,



who has passed away, the respondent chose to file the eviction petition only against the petitioner, without impleading the widow and the other legal heirs of late Mustaq Ahmed.

3. This aspect has been dealt-with by the learned ARC in para 10 of impugned order dated 03.04.2025.
4. Counsel submits that this issue has been decided erroneously and not in accordance with law.
5. Furthermore, Mr. Hasibuddin points-out that insofar as the petitioner is concerned, he is not in use and occupation of the subject premises.
6. Issue notice.
7. Upon the petitioner taking steps, let notice be sent to the respondents by all permissible modes, returnable for the next date.
8. Let the notice indicate that reply to the petition be filed within 06 weeks of service; rejoinder thereto, if any, be filed within 04 weeks thereafter; with copy to the opposing counsel.
9. Re-notify on 25th September 2025.
10. It is made clear that there is *no* stay of operation of the eviction order dated 03.04.2025.

ANUP JAIRAM BHAMBHANI, J

JULY 9, 2025/ak