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

+ **CM(M) 1244/2025 & CM APPL. 41802/2025**

R.B. POLYCLINIC AND ANR

.....Petitioner

Through: Mr. K.B. Shankar, Mr. Jeetu Singh
and Mr. Chandan Kumar, Advocates
along with petitioner-in-person

versus

JAYANT M GANDHI & ANR.

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **17.07.2025**

CM APPL. 41802/2025 (exemption)

Exemption allowed, subject to all just exceptions.

CM(M) 1244/2025

1. Petitioner is defending a suit which is commercial in nature and has challenged order dated 19.12.2024 whereby learned Trial Court has asked them to deposit rent in terms of Order XV-A CPC.
2. The prime contention coming from the side of petitioner is to the effect that he was in no position to use the premises as it had already been sealed by the MCD and such fact has been concealed by the plaintiff when the suit was filed.
3. At the same time, however, it is not understandable as to why the defendant, itself, did not surrender the tenancy when it was in position to use the same.
4. The tenancy was created way back in the year 2020.

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5. Issue notice to respondents through all permissible modes including *dasti*. Notice be also issued through counsel.
6. List on 28.11.2025.

MANOJ JAIN, J

JULY 17, 2025/dr/shs