



2025:DHC:7669

\$~59

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

+ **CS(COMM) 660/2024**

ONKAR INFOTECH PVT. LTD.

.....Plaintiff

Through: Mr. P S Patwalia, Sr. Advocate and
Mr. Dayan Krishnan, Sr. Advocate
with Mr. Harpreet Singh, Mr. Karan
Luthra, Mr. Shreedhar, Mr. Rohan
Dua, Mr. Yogesh Malik, Advocates

versus

DELHI INTERNATIONAL AIRPORT LTD. & ORSDefendants

Through: Mr. Raj Shekhar Rao, Sr. Advocate
with Mr. Amitabh Chaturvedi, Ms.
Rimjhim suhani, Advs. for D-1
Mr. Manu Krishnan and Mr. Tejasvi
Chaudhry, Advs. for D-2 to D-4

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

%

10.01.2025

I.A. 398/2025

1. This application under Order XIII-A of the CPC has been filed by the Plaintiff for summary judgment.
2. The present suit has been filed for eviction of the Defendants from an area admeasuring 2.45 acres of property bearing No.D-17, Pushpanjali Farms, Bijwasan, New Delhi. It is the case of the Plaintiff that the present application is made out on the following ingredients:
 - a. Defendants have admitted that they are in occupation of the area on account of lease deed dated 01.04.2020 which is not



2025:DHC:7669

registered.

- b. Defendants in their Written Statements have admitted that there is a land-lord tenant relationship between the Plaintiff and the Defendant.
- c. Tenancy of the Defendants has been terminated vide letter dated 07.07.2024.

3. Learned Counsel for the Plaintiff states that the Plaintiff is entitled to summary judgment on the basis of the aforesaid admission and, therefore, the Defendants be evicted from the property.

4. It is stated by the learned Counsel for the Defendant that the present application is not made in accordance with Order 13A CPC and, therefore, the same may be dismissed.

5. This Court is of the opinion that this objection can be raised in the reply.

6. Issue Notice.

7. Learned Counsels for Defendants accepts notice and seeks some time to file replies.

8. Let the replies be filed before the next date of hearing.

9. List on 19.02.2025.

SUBRAMONIUM PRASAD, J

JANUARY 10, 2025

Rahul