

\$~56

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RC.REV. 104/2018**

BINA ROY

..... Petitioner

Through: Mr.Pavan Duggal and Ms.Diksha
Snehal, Advocates

versus

HANSA SONI & ORS

..... Respondents

Through:

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **30.07.2018**

CM No.30054/2018

The matter is listed for 20th August, 2018 and taken up on an application CM No.30054/2018 seeking early hearing submitting to the effect that in terms of the impugned eviction order dated 16.1.2018, the petitioner is liable to be evicted w.e.f. 16.7.2018 and thus an early hearing is sought to prevent the petition becoming infructuous.

In view thereof, the application is allowed.

CM No.10326/2018 (Exemption)

Exemption allowed, subject to just exceptions.

RC.REV. 104/2018 and CM No.10325/2018 (stay)

Initial submissions have been made on behalf of the petitioner placing reliance on the verdict of this Court in *Shri Rambir Singh v. Smt. Balwant Kaur Chaoudhary & Anr.*; in RC Rev no. 60/2006

submitting inter alia to the effect that the requisite notice in terms of Section 25 B (4) of the Third Schedule of the Delhi Rent Control Act, was not served upon the petitioner herein and that the petitioner was also not served at the address in which he resides placing reliance on the verdict of this Court in *Om Prakash v. Brij Nath Sharma*; 18 (1980) DLT 313, notice of the petition and the application be issued to the respondents No. 1 to 4 on taking of steps by the petitioner through all permissible modes including through approved courier with a tracking report being placed on record, returnable on 28.11.2018, till which date, the operation of the impugned eviction order is stayed.

Compliance under Order XXXIX Rule 3 CPC be made.

The date 20th August, 2018 is cancelled.

ANU MALHOTRA, J

JULY 30, 2018/sv