



\$~66

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

+ **RC.REV. 286/2025**

ANAND KISHORE

.....Petitioner

Through: Mr. J.M. Kalia and Mr. Dhruv
Kalia and Mr. Siddharth Shukla,
Advocates.

versus

RAVI GUPTA

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

%

18.09.2025

CM APPLs. 59462/2025-Exemption & CM APPL. 59463/2025-Exemption

1. Allowed, subject to all just exceptions.
2. The applications stand disposed of.

RC.REV. 286/2025 & CM APPL. 59461/2025-Stay

3. By virtue of the present petition, petitioner *inter alia* seeks to challenge the order dated 19.04.2024, passed by learned ARC/CCJ (District Central), Delhi in Eviction Petition RC-ARC/430/2003 titled '**Ravi Gupta Vs. Anand Kishore**' (**impugned order**) thereby dismissing the petitioner's leave to defend application, as also the subsequent order dated 16.07.2025, passed by learned ARC, (District Central), Delhi in Misc RC ARC No. 115/2024 dismissing the petitioner's review application (**subsequent order**).
4. Qua the impugned order, learned counsel for the petitioner submits



that the petitioner in his leave to defend application had categorically denied existence of landlord-tenant relationship between the parties, stating as under:

“3. That the present petition is not maintainable against applicant as there is no relationship between the petitioner & applicant as landlord & tenant. In fact, he had neither been tenant in suit premises at any point of time nor is the LR of deceased tenant Late Sh. Sadhu Ram”

5. Despite thereto, i.e. without taking into consideration the aforesaid specific denial qua the landlord-tenant relationship by the petitioner, he submits that the learned ARC has returned the finding in the impugned order as under:-

“4. Respondent/ tenant has not denied that he is a tenant in the property nor has denied that the petitioner is the landlord. As such, the landlord-tenant relationship is admitted and the first ingredient stands satisfied.”

6. He further submits that barring the aforesaid, there is no consideration and/ or any discussion on the aspect of existence of landlord-tenant relationship between the parties by the learned ARC in the impugned order.

7. Qua the subsequent order, learned counsel for the petitioner submits that since the petitioner vide order dated 16.10.2024 was accorded an opportunity by this Court to file “*appropriate proceedings in accordance with law*” and in pursuant thereto, the petitioner withdrew his revision petition being RC.REV. 280/2024, learned ARC has erred in coming to the conclusion that the review was not maintainable therein as under:-

“.....present review application is not maintainable since Revision petition has already been filed before the Hon'ble High Court of Delhi. I am also of the opinion that subsequent



withdrawal of the said revision petition would be inconsequential and would not wipe out the factum of filing of the revision petition. It is further to be noted that Hon'ble High Court of Delhi in its order dated 16.10.2024 has nowhere granted the liberty of filing review application to the tenant/applicant. Therefore, the present review application filed by the applicant is not found to be maintainable."

8. Issue notice.
9. Upon the petitioner taking requisite steps within a period of *one week*, issue notice to the respondent by all permissible modes, returnable on 02.02.2026.
10. Reply, if any, be filed by the respondent within a period of *four weeks*. Rejoinder thereto, if any, be filed within a period of *two weeks* thereafter, however, the parties are at liberty, to file their respective written synopsis before the next date of hearing, not exceeding *three* pages, giving a chronological list of dates and events and relevant documents, if any, along with duly highlighted judgments setting out the propositions of law therein, they wish to rely upon, instead of filing any reply/ rejoinder.
11. In the meanwhile, in view of the above discussion, there shall be stay of the orders dated 19.04.2024 and 16.07.2025, passed by the learned ARC.

SAURABH BANERJEE, J

SEPTEMBER 18, 2025
NA