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

+ **RC.REV. 287/2025**

SHRI RAJ KUMAR KHURANA

.....Petitioner

Through: Mr. Satish Sahai and Ms. Malaika
Farhat, Advs.

versus

MST. SANOBAR SHAFI AND ORS

.....Respondents

Through: Mr. Arun K. Sharma, Adv. for R-1.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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07.11.2025

CM APPL. 69375/2025 (*for early hearing by petitioner*)

1. The petitioner, *vide* the present application seeks early hearing of the stay application being *C.M. APPL.59670/2025*.
2. Learned counsel for the petitioner submits that considering that the statutory period of six months, granted by the learned Addition Rent Controller (*ARC*), as envisaged under *Section 14(7)* of the Delhi Rent Control Act, 1958 (*DRC*), is expiring on 18.11.2025, the present application be allowed and the stay application being *C.M. APPL.59670/2025* be taken up for hearing.
3. Learned counsel appearing for the respondent no.1 submits that the petitioner has not paid any rent since and from the year 2008 and according to the judgment passed by the Supreme Court in *Atma Ram Properties (P) Ltd. vs. Federal Motors (P) Ltd.*, [(2005) 1 SCC 705], the



petitioner is entitled to pay the use and occupation charges @ prevailing market rate.

4. He further submits that the present market rate for the adjoining premises as also the built up area similar to the subject premises is Rs.273/- per square feet. He submits that he shall file an appropriate affidavit/ document *qua* the same.

5. Be that as it may, learned counsel for the respondent no.1 submits that no petition seeking execution of the impugned order shall be filed before the next date of hearing fixed before this Court.

6. Without prejudice to his rights and contentions, learned counsel for the petitioner disputes the same and also submits that the legitimate outstanding dues, if any, shall be cleared in accordance with law. However, in view of the foregoing submission advanced by the learned counsel for the respondent no.1, learned counsel for the petitioner seeks to withdraw the present application.

7. In view of the aforesaid, the present application stands dismissed as withdrawn.

SAURABH BANERJEE, J

NOVEMBER 7, 2025/bh