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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 3742/2024 & CM APPL. 63870/2024**

VISHAV BANDHU RUSTAGI & ANR.

.....Petitioner

Through: Mr. Harpreet Singh Nagpal, Mr. Pritpal Singh C., Mr. Gaurav Kumar, Advocates along with petitioner in person.

versus

JALIL UR REHMAN

.....Respondent

Through: None.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
29.10.2024

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CM APPL. 63871-63872/2024 (Exemption)

Exemption allowed, subject to all just exceptions.

CM(M) 3742/2024

1. Petitioners are aggrieved by order dated 14th August, 2024 passed by learned Competent Authority (Delhi Urban Shelter Improvement Board) whereby permission has been granted to respondent to institute suit or proceeding seeking eviction for the petitioners herein from the premises in question.
2. The prime most ground taken in the present petition is that there is no relationship of landlord and tenant between the parties and, even otherwise, as per the admitted documents available on record, in terms of Section 18B of

CM(M) 3742/2024

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the Enemy Property Act, 1968, the jurisdiction of Competent Authority to entertain such proceeding stands ousted.

3. When asked, learned counsel for the petitioners informed that eviction petition has already been filed and he has even filed written statement in response to such eviction petition.

4. Issue notice to the respondent through all permissible modes, returnable on 12th December, 2024. Notice be also issued through counsel.

5. It is, however, clarified that mere pendency of the present petition would not preclude the learned Rent Controller to proceed further with the eviction petition.

MANOJ JAIN, J

OCTOBER 29, 2024/ss