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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ RC.REV. 456/2018 & CM APPL. 38274-38277/2018

MEHAR CHAND & ANR ..... Petitioners  
Through: P-1 in person with Mr. Raj Kumar  
Mittal, Advocate.

versus

PAWAN SHARMA ..... Respondent  
Through: Mr. Rajesh Kr. Malhotra, Advocate.

**CORAM:**  
**HON'BLE MS. JUSTICE ANU MALHOTRA**

**ORDER**  
% **04.10.2018**

Time is sought on behalf of the respondent to file the counter affidavit to the petition, which be filed within a period of two weeks.

Rejoinder thereto, if any, be filed by the petitioner within a period of two weeks thereafter.

It is submitted on behalf of the petitioner that the rent has not been paid by the petitioner since the year 2004 which is refuted on behalf of the respondent submitting *inter alia* to the effect that DR No.80/13 was filed in the instant case which has also been allowed vide order dated 13.12.2013 of the Rent Controller, Central, certified copy of which is on the record which indicates that the rent as deposited therein was allowed to be withdrawn by the respondent no.1 i.e. the respondent to the present petition without prejudice to his rights and contentions.

Placed on record is also the certified copy of order dated 13.12.2013 of the Rent Controller, Central in DR No.79/13 between the same parties pursuant to which the said petition under Section 27 of the DRC Act was also allowed with liberty granted to the respondent no.1 i.e. the respondent to the present petition to withdraw the rent without prejudice to his rights and contentions. The rent at the rate of Rs.200/- per month from the period after DR No.80/13 having been allowed be deposited in the Court of the Rent Controller, Central, Delhi by the petitioner within a period of two weeks which on deposit is allowed to be withdrawn by the respondent without prejudice to his rights and contentions.

It is submitted on behalf of the petitioner that DR No.79/13 is a petition subsequent to the petition DR No.80/13.

The matter be re-notified for 08.01.2019.

Interim orders to continue.

Copy of the order be given Dasti, as prayed.

**ANU MALHOTRA, J**

**OCTOBER 04, 2018/NC**