

ITEM NO.8

COURT NO.7

SECTION XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SPetition for Special Leave to Appeal (C) Nos.3968-3969/2026

[Arising out of impugned final judgment and order dated 26-11-2025 in RCREV No. 294/2025 and order dated 22-12-2025 in RCREV No. 294/2025 passed by the High Court of Delhi at New Delhi]

SUNIL KUMAR

Petitioner(s)

VERSUS

DWARIKA PRASAD & ORS.

Respondent(s)

(IA No. 27980/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 29-01-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) : Mr. Siddhartha Jha, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following

O R D E R

1. Exemption Application is allowed.
2. We heard the learned counsel appearing for the petitioner - tenant
3. It appears that the petitioner has suffered an eviction decree. He claims to be a tenant occupying the tenanted premises in which he is carrying on a small business.
4. The Respondent - landlord initiated eviction proceedings in the Court of Central District, Tis Hazari Courts, Delhi.
5. In the said proceedings, the petitioner - herein filed an application for leave to defend under Section 14(1)(e) of the Delhi Rent Control Act with respect to the shop in question situated on the ground floor in property bearing No.3089, Gali No. 35, Beadon Pura, Karol Bagh, New Delhi.

6. The Court concerned vide order dated 31-7-2025 declined to grant leave to defend as prayed for.

7. The operative part of the order passed by the Court reads thus:-

32) Accordingly, in view of the aforesaid discussion and findings, I hold that the petitioner has been able to establish the essential ingredients of petition u/s 14 (1) (e) of DRC Act i.e. landlord-tenant relationship, bonafide necessity and absence of reasonably suitable accommodation. Thus, in view of the foregoing discussion, this court is of the view that no triable issue has been raised by the respondent no. in 2 his leave to defend application. Accordingly, the leave to defend application of respondent no. 2 is hereby dismissed. No leave for contesting the matter has been sought on behalf of the other respondents. Consequently, an eviction order u/s 14(1)(e) r/w Section 25B, DRCA is passed in favor of petitioner and against the respondents with respect to the tenanted premises i.e. one shop on the ground floor in property bearing no. 3089, Gali No. 35, Beadon Pura, Karol Bagh, New Delhi-110005 and more specifically shown in red color in the site plan annexed with the petition. However, in light of Section 14(7) DRCA, the eviction order shall not be executable for a period of six months from today. No order as to costs."

8. Being dissatisfied with the order passed by the Trial Court, referred to above, the petitioner went before the High Court. The High Court vide the impugned order declined to interfere.

9. We are informed that the petitioner has been granted time to vacate the premises in question on or before 31-1-2026.

10. We are of the view that no case is made out for interference on merits. However, a very fervent appeal has been made by the learned counsel to grant petitioner some more time to vacate.

11. We are inclined to consider granting some more time to vacate.

12. Issue notice, returnable on 5-2-2026.

13. Dasti service, in addition, is permitted.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)