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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 429/2022, CM APPL. 22209/2022 & CM APPL. 59953/2024
M/S KARAN AND CO

.....Petitioner

Through: Mr. Rajiv Dewan and Mr. Angad Singh, Advocates

versus

S K GUPTA

.....Respondent

Through: Mr. D K Rastogi with Mr. J Karan Malhotra, Advocates.

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+ CM(M) 456/2022 & CM APPL. 59954/2024
S. K. GUPTA

.....Petitioner

Through: Mr. C P Vig, Adocate.

versus

M/S KARAN AND CO.

.....Respondent

Through: Mr. Rajiv Dewan and Mr. Angad Singh, Advocates

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **14.10.2024**

1. According to landlord Mr. S K Gupta, he had filed an Eviction Petition seeking eviction of his tenant M/S Karan and CO., a sole proprietary concerned on the three grounds i.e. under Section 14(1) (a), and 14(1) (h) and 14(1) (d) of Delhi Rent Control Act, 1958 (in short "DRC Act").
2. Initially, the learned Controller passed eviction order under all the three grounds but when the matter was taken in appeal under Section 38 of DRC Act, the learned Tribunal set aside the eviction so far as it related to the



ground under Section 14(1) (d) and 14 (1) (h) of DRC Act.

3. It is in the above said context that the present two petitions have been filed. Landlord is aggrieved by the setting aside of the eviction order for the ground under Section 14(1)(b) and 14(1) (h) of the DRC Act, whereas the tenant is aggrieved by the order of eviction which has been upheld by the Tribunal for ground under Section 14(1)(a) of DRC Act.

4. It is, however, informed that during the course of the pendency of the present petitions, the original tenant Mr. Karan Luthra, stated to be sole proprietor owner of M/S Karan and CO. has expired on 23.08.2024 and an application under Order XXII Rule 3 CPC has, accordingly, been moved seeking impleadment of his LRs.

5. Let reply, if any, be filed by all concerned with respect to the aforesaid application and the matter be listed before the learned Joint Registrar (J) on 11.11.2024 for consideration and disposal of the above said application.

MANOJ JAIN, J

OCTOBER 14, 2024/sw