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* **IN THE HIGH COURT OF DELHI AT NEW DELHI***Date of Decision: 30th April, 2026*

+ CM(M) 1962/2024 & CM APPL. 11411/2024

HARDWARI LAL

.....Petitioner

Through: Mr. Vinod Dubey and Mr. Anurag Dwivedi, Advs. along with Petitioner-in-person.

versus

BIJENDER GUPTA

.....Respondent

Through: Mr. Rajeev Kumar Rai, Adv. along with Respondent-in-person.

CORAM:**HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA****ORDER (Oral)****Rajneesh Kumar Gupta, J.**

1. This hearing has been conducted through hybrid mode.
2. The present petition has been filed by the petitioner under Article 227 of the Constitution of India, 1950 seeking following reliefs:

“(a) Allow the present petition and set aside order dated 06.12.2023 passed by Ms. Shail Jain, principal district and session judge-cum-rent control tribunal East, Karkardooma Courts, Delhi, in the RCT no. 06/2023 whereby the Ld. District & Session Judge/ Rent Control Tribunal has dismissed the appeal filed by the petitioner under section 38 of Delhi Rent Control Act.

“(b) Pass an order thereby status quo be maintained in respect of the shop in question details of which are mentioned above, in the interest of justice till the disposal of the present petition.”



3. Heard. Record perused.
4. It is relevant herein to mention the order dated 12th July, 2024 of this Court, which reads as under:

“1. Present application has been moved by petitioner under Section 151 CPC praying therein that the date of the hearing may be preponed.

2. Petitioner herein is a tenant against whom there is an eviction order under Section 14(1)(a) of Delhi Rent Control Act, 1958. The tenant was unsuccessful even before the learned Rent Control Tribunal and this is how he has filed the present petition.

3. The next date of hearing in the present petition is 31.07.2024. However, according to learned counsel for the petitioner since there was no stay in the matter, the learned Civil Judge has already issued warrants of possession returnable 03.08.2024 and a bailiff has already been appointed on 09.07.2024. It is stated that in case the warrants of possession are not stayed, there would be an irreparable loss.

4. It is also contended that the petitioner-tenant is in possession of the suit shop as tenant for last around 30 years.

5. Learned counsel for the petitioner, on instructions, also states that if reasonable time is granted to vacate the suit shop, he would not challenge the order of the Tribunal and would vacate the premises of his own.

6. Nobody appears on advance notice.

7. Keeping in mind the urgency explained and in the interest of justice, the warrants of possession shall remain stayed till the next date of hearing.

8. Parties would appear in person so that it is ascertained whether the matter can be amicably resolved or not.



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9. Application stands disposed of.

10. Copy of the Order be given Dasti under the signatures of the Court Master.”

5. The petitioner undertakes to vacate the suit premises on or before 31st July, 2026, to which the respondent has no objection.

6. Keeping in view the submissions of both the parties, who are duly represented through counsels, the petitioner shall vacate the suit property on or before 31st July, 2026, failing which, the respondent would be at liberty to proceed with the execution proceedings, in accordance with law.

7. Learned Counsel for the petitioner submits that no further order is required in this petition and it be disposed of accordingly. The present petition is disposed of in the above said terms. All pending application(s), if any, also stand disposed of.

RAJNEESH KUMAR GUPTA, J

APRIL 30, 2026/sds/tp