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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ RC.REV. 59/2018

KHALID KAMAL ALVI ..... Petitioner

Through: Mr. Atul Nigam, Adv.

versus

VIJAY KUMAR SACHDEV & ORS ..... Respondents

Through

CORAM:
HON'BLE MR. JUSTICE R.K.GAUBA

O R D E R

% 16.02.2018

CM No. 5975/2018 (exemption)

Allowed, subject to all just exceptions.

RC.REV. 59/2018 & CM No. 5974/2018 (stay)

The petition seeks to challenge the eviction order passed by the Rent Controller after trial, on 30.10.2017. One of the defences raised concerns the use of the subject property by the respondent landlord. Though the eviction petition pleaded the requirement of the entire family including the eldest son Vikas Sachdev, it came to be conceded during the cross-examination of the first respondent (appearing as PW-1) that the said son was occupying the first floor of the property as a tenant.

Issue notice to the respondents, on appropriate steps, returnable on 11th September, 2018.

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Meanwhile, the execution of the eviction order shall remain stayed.

Compliance under Order 39 Rule 3 of the CPC shall be made by the petitioner within three days hereof.

Dasti under the signatures of Court Master.

R.K.GAUBA, J

FEBRUARY 16, 2018
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