

Smt. Ram Pyari and Others

Vs

Smt. Daya Rani and Others

Civil Appeal No. 4134 of 1982

(D. A. Desai. V. B. Eradi JJ)

10.12.1982

ORDER

1. Special leave is granted.

2. This is one of the usual cases in which leave to contest an application filed by the respondents for eviction under Section 14 (1) proviso (e) of the Delhi Rent Control Act was refused by learned Rent Controller on the grounds which are wholly untenable. The case is fully covered by the ratio of the decision of this Court in Precision Steel & Engineering Works v. Prem Deva Niranjana Deva Tayal(AIR 1982 SC 1518 (1982) 3 SCC 270). Consequently, the appeal will have to be allowed. We accordingly allow this appeal, set aside the order of the Rent Controller as well as the order of the High Court and grant leave to contest the petition for eviction. We remit the matter back to the Rent Controller with a direction to decide it according to law and the hearing of the matter will be expedited. There will be no order as to costs.

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