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

+ RSA 108/2026

SIR SOBHA SINGH AND SONS PVT. LTD.Appellant

Through: Mr. Sandeep Sethi, Senior Advocate along with Mr. Sudhir Nandrajog, Senior Advocate along with Mr. Shaunak Kashyap, Ms. Mayanka Dhawan, Mr. Vikram Kalra, Ms. Monika Phartyal & Ms. Ankita Singh, Advocates.

versus

UNION OF INDIA

.....Respondent

Through: Mr. Ashish K. Dixit- CGSC along with Mr. Adhiraj Singh- GP, Mr. Kunal Bhaskar- Dy. L&DO, Mr. Aakash Tyagi & Mr. Nishant Bahuguna, Advocates.

CORAM:

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

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17.06.2026

CM APPL. 39010/2026 (Exemption)

CM APPL. 39011/2026 (Exemption)

1. Exemptions are allowed, subject to all just exceptions.
2. The Applications stand disposed of.

RSA 108/2026

3. This Regular Second Appeal has been filed under Section 100 of the Code of Civil Procedure, 1908 (“**CPC**”) being aggrieved by the Judgment dated 09.06.2026 (“**Impugned Judgment**”) passed by the learned District Judge-03, Central District, Tis Hazari Courts, Delhi, (“**District Court**”) in RCA DJ No. 61729/2016 setting aside the Judgment dated 31.08.2009 by allowing the Appeal filed by the Respondent under Section 96 of the Code

RSA 108/2026

Page 1 of 3



of Civil Procedure, 1908 (“CPC”) passed by the learned Senior Civil Judge-cum-Rent Controller (Central) (“**Trial Court**”) in Suit No. 1388/06/60.

4. The Appeal is admitted.

5. The learned CGSC for the Respondent / Union of India has entered appearance.

6. Let e-copy of the learned District Court as well as the learned Trial Court record be summoned and placed on the files of this Appeal.

7. Accordingly, list before the Roster Bench on 23.07.2026.

CM APPL. 39009/2026 (Stay)

8. This is an Application filed under Order XLI Rule 5 read with Section 151 of the CPC for stay of the Impugned Judgment and Decree dated 09.06.2026.

9. Issue Notice.

10. The learned CGSC on behalf of the Respondent accepts Notice.

11. Let the Reply be filed within a period of four weeks. Rejoinder thereto may be filed within a period of two weeks thereafter.

12. The learned Senior Counsel for the Appellant submits that there is an imminent threat of eviction in view of the notice dated 11.06.2026 issued by the Respondent under the provisions of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (“**PP Act**”).

13. In view of the same, learned Senior Counsel for the Appellant presses for grant of an urgent *ad-interim* relief during the consideration of this Application.

14. The learned CGSC on behalf of the Respondent submits that Notice dated 11.06.2026 issued under the PP Act is independent and has no relation to the Impugned Judgment.



15. However, the learned Senior Counsel for the Appellant refers to Paragraph No. 8 of the said Notice dated 11.06.2026 which reads as under:

“8. Because the Hon’ble Court of the District Judge, Tis Hazari, Delhi, vide order dated 09.06.2026 in RCA DJ/61729/2016, has allowed the appeal of the Union of India and set aside the judgment and decree dated 31.8.2009 passed by Shri Ajay Goel, Senior Civil Judge-Cum-Rent Controller (Central), Delhi in Suit No. 1388-06-60 filed by the Respondent. The present plaint has been filed in compliance of and in pursuance of the said order. That the Hon’ble Court of District Judge has allowed the appeal of the Union of India and directed that due process of law be followed in accordance with the provisions of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 for recovery of possession of the subject premises, and the present proceedings have been instituted in compliance thereof.”

16. The learned CGSC, on instructions, makes a statement that the proceedings under the PP Act shall be conducted without reference to or being influenced by the Impugned Judgment and all the rights and contentions of the Parties are reserved in that respect.

17. The statement made by the learned CGSC is taken on record and the Respondent is directed to be bound by the said statement.

18. In view of the said statement, there is no requirement to pass any *ad-interim* order granting stay of the Impugned Judgment during the pendency of this Application.

19. List before the Roster Bench on 23.07.2026.

**TEJAS KARIA, J
(VACATION JUDGE)**

JUNE 17, 2026/ ‘A’