

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 21781/2019

Alimuddin S/o Ramjan Shah, Aged About 51 Years, B/c
Musalman, Resident Of House No. A-1, Bajrang Colony,
Badanpura Road, Outside Gangapole Gate, Jaipur, Rajasthan.

----Petitioner

Versus

Dilip Shah S/o Eid Mahammad, Aged About 53 Years, B/c
Musalman, Resident Of House No. 30, Outside Gangapole Gate,
Chhoti Dungri, Bass Badanpura, Jaipur,

----Respondent

For Petitioner(s) : Mr. Mohammed Anees

For Respondent(s) :

HON'BLE MR. JUSTICE PRAKASH GUPTA

Order

03/01/2020

Instant writ petition under Article 227 of the
Constitution of India has been filed with the prayer to direct the
Rent Tribunal, Jaipur Metropolitan, Jaipur for early disposal of the
eviction petition No.306/2018, (Alimuddin Vs. Dilip Shah) filed
under the provisions of Rajasthan Rent Control Act, 2001
(hereinafter referred to as 'the Act of 2001').

Learned counsel for the petitioner submits that the
petitioner filed eviction application under Section 9 of the "Act of
2001" on 26.04.2018. Learned counsel further submitted that the
"Act of 2001" provides for disposal of eviction petition within 240
days from the service of notice on the opposite party yet the
adjournments are being granted by the Tribunal without just cause
which is detrimental to the petitioner's right. Learned counsel has also
referred Section 21(4) of the "Act of 2001", which is
reproduced as under:-

"21(4) Rent Tribunal shall not grant any
adjournment without written application
and recording the reasons therefor in
writing."

Having regard to the submissions made by the learned
counsel for the petitioner and after perusal of the material
available on record as also the provisions of the 'Act of 2001', this
Court finds that the prayer sought for is reasonable. The Rent
Tribunal, Jaipur Metropolitan, Jaipur is, therefore, directed to

decide the eviction application filed by the petitioner expeditiously but not later than nine months from the date of receipt of certified copy of this order.

The writ petition is allowed accordingly.

(PRAKASH GUPTA),J