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

Date of decision: 24.08.2026

CNR No. DLHC010398992026

+ **RC.REV. 304/2026, CM APPL. 57414/2026 (Stay) & CM APPL. 57415/2026 (Ex.)**

PINKI GUPTA

.....Petitioner

Through: Appearance not given.

versus

GEETA RASTOGI & ORS.

.....Respondents

Through: Nemo

CORAM:

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

% **JUDGEMENT (Oral)**

1. The present Rent Control Revision Petition, under Section 25-B (8) of **the Delhi Rent Control Act, 1958¹**, seeks the setting aside of the **Judgment dated 09.06.2026²** passed by the **learned Senior Civil Judge-cum-Rent Controller, District Shahdara, Delhi³** in Eviction Petition being RC ARC No.71/2023 whereby the leave to defend application preferred by the Petitioner herein has been dismissed and she has been directed to evict the tenanted premises.

2. Learned counsel for the Petitioner would seek to challenge the Impugned Judgement limited to the following grounds.

3. *Firstly*, learned counsel for the Petitioner would raise a

¹ DRC Act

² Impugned Judgement

³ Learned RC



challenge to the Impugned Judgement on the ground that the learned RC has erred in holding that the subject premises was needed by the Respondents for *bona fide* requirement. It would be submitted that the Respondents herein had not gone before the learned RC with clean hands and the *bona fide* requirement so claimed was only to evict the Petitioner herein and to rent out the subject premises to another tenant for a higher price.

4. On the ground of *bona fide* requirement, it would also be submitted that it was the claim of the Respondents that the subject premises was required for the beneficiaries for them to start a Gymnasium-cum-Fitness Centre for their livelihood, whereas the said beneficiaries were neither unemployed nor dependant on the Respondents.

5. *Secondly*, it would be submitted by the learned counsel for the Petitioner that the Respondents had also vacated other shops owned by them on similar grounds of *bona fide* requirement and then left them unused or started using them for some other reason than what was actually stated, which shows that the Respondents never had a *bona fide* requirement and only wanted the subject premises vacated so as to rent it out to another tenant for a higher rent.

ANALYSIS AND CONCLUSION:

6. This Court has heard the learned counsel for the petitioner and, with her able assistance, perused the material available on record.

7. Before proceeding to examine the grounds of challenge urged on behalf of the Petitioner, it would be apposite to advert to the scope and ambit of the revisional jurisdiction vested in this Court under the proviso to Section 25B(8) of the DRC Act.

8. The contours of the aforesaid jurisdiction are well settled. The



Hon'ble Supreme Court, in **Sarla Ahuja v. United India Insurance Co. Ltd.**⁴, **Hindustan Petroleum Corporation Ltd. v. Dilbahar Singh**⁵, and, more recently, in **Abid-Ul-Islam v. Inder Sain Dua**⁶, has consistently held that the jurisdiction exercised by the High Court under the *proviso* to Section 25B(8) of the DRC Act is supervisory and revisional in character and cannot be equated with the exercise of appellate jurisdiction.

9. The aforesaid principles have also been reiterated and relied upon by Coordinate Benches of this Court, *inter alia*, in **Pankaj Pahwa v. Prem Wati & Ors.**⁷, and **Sanjeev Hiranandani v. Sunny Grover**⁸.

10. In **Abid-Ul-Islam**(supra), the Hon'ble Supreme Court, while elucidating the legislative intendment underlying Section 25B of the DRC Act, observed that the omission of an appellate remedy against an Order passed by the learned Rent Controller is conscious and deliberate. The jurisdiction conferred upon the High Court is, therefore, one of superintendence over the decision-making process, including the legality and propriety thereof, and does not permit the High Court to substitute its own view for that of the learned Rent Controller merely because another view on the material available on record may be possible. The relevant observations of the Hon'ble Supreme Court read as under:

“23. The proviso to Section 25-B(8) gives the High Court exclusive power of revision against an order of the learned Rent Controller, being in the nature of superintendence over an inferior court on the decision-making process, inclusive of procedural compliance.

⁴(1998) 8 SCC 119

⁵(2014) 9 SCC 78

⁶(2022) 6 SCC 30

⁷2024:DHC:9322

⁸ 2025:DHC:11285



Thus, the High Court is not expected to substitute and supplant its views with that of the trial court by exercising the appellate jurisdiction. Its role is to satisfy itself on the process adopted. The scope of interference by the High Court is very restrictive and except in cases where there is an error apparent on the face of the record, which would only mean that in the absence of any adjudication per se, the High Court should not venture to disturb such a decision. There is no need for holding a roving inquiry in such matters which would otherwise amount to converting the power of superintendence into that of a regular first appeal, an act, totally forbidden by the legislature.”

11. In **Pankaj Pahwa** (supra), a Coordinate Bench of this Court, upon considering the principles enunciated in **Abid-Ul-Islam** (supra), reiterated that the jurisdiction exercised by this Court under the proviso to Section 25B(8) of the DRC Act is limited in scope and that this Court is not expected to substitute or supplant its view for that of the learned ARC. The revisional scrutiny is confined to examining the decision-making process and determining whether the Impugned Order suffers from an error apparent on the face of the record or an absence of adjudication warranting interference.

12. In view of the foregoing discussion, the position which emerges is that, while exercising jurisdiction under the *proviso* to Section 25B(8) of the DRC Act, this Court is neither required nor permitted to undertake a fresh appreciation of the material on record with a view to arrive at an independent conclusion on the merits of the dispute. Interference would be warranted only where the Impugned Order suffers from a jurisdictional error, manifest illegality, material irregularity or perversity, or where the conclusion arrived at by the learned RC is wholly unreasonable or founded upon an erroneous premise of law. Equally, where a material plea has been left unconsidered or the decision-making process otherwise discloses an error apparent on the face of the record, exercise of revisional



jurisdiction may be warranted.

13. It is within the aforesaid limited parameters of revisional scrutiny that the grounds urged on behalf of the Petitioner against the Impugned Order are required to be examined.

14. At this outset, this Court is of the view that the learned counsel for the Petitioner seeks to impugn the Judgment passed by the learned RC verbatim on the very same grounds as were raised before the learned RC.

15. This Court also takes note of the fact that all these issues have already been dealt with by the learned RC. What is essentially sought is a re-appreciation of the entire evidence. This Court, in exercise of its revisional jurisdiction, cannot undertake a re-appreciation of the evidence

16. For the sake of brevity and convenience, the reasoning rendered by the learned RC is reproduced hereunder:

“35) In respect of the bonafide requirement of the petitioners, they have pleaded that the tenanted premises is required by them for three grandsons of petitioner no. 1 namely Sh. Nikunj Rastogi, Sh. Nimish Rastogi and Sh. Vaibhav Rastogi alongwith son of petitioner no.2 namely Sh. Nitin Rastogi and son of petitioner no.4 namely Sh. Rachit Rastogi. Petitioners have categorically pleaded in their petition itself that Sh. Nikunj Rastogi, Sh. Nimish Rastogi and Sh. Vaibhav Rastogi are unemployed and are completely dependent upon the petitioner no. 1. They have further disclosed in the petition itself that Sh. Nitin Rastogi is already running his business of selling disposable items in shop no.2. Thus, it is not the case of the petitioners that Sh. Nitin Rastogi and Sh. Rachit Rastogi are also completely dependent upon the petitioners for the aforesaid projected need. It has been contended by ld. counsel for the petitioners during the course of arguments that Sh. Nikunj Rastogi, Sh. Nimish Rastogi and Sh. Vaibhav Rastogi intend to open a Gymnasium-cum-Fitness Centre alongwith Sh. Nitin Rastogi and Sh.-Rachit Rastogi and accordingly the said fact has been pleaded in the petition itself. Now, the respondent has alleged that since Sh. Nitin Rastogi and Sh. Rachit Rastogi are not dependent upon the petitioners, therefore, the present petition is not maintainable. In this regard, this court is of the view that although



2026:DHC:7249



Sh. Nikin Rastogi and Sh. Rachit Rastogi are already earning income, this does not in itself disentitle them from opening a gymnasium-cum-fitness centre, alongwith Sh. Nikunj, Sh. Nimish and Sh. Vaibhav. The tenanted premises are primarily required for the bonafide need of Sh. Nikunj Rastogi, Nimish Rastogi and Vaibhav Rastogi who are also the members of the same family/extended family as that of Sh. Nitin Rastogi and Sh. Rachit Rastogi. Thus, there is no bar if they together want to open a venture for becoming independent. Further, the petitioners cannot be forced to look for some other property for the said purpose either on rent or by way of purchase when they already have their own property which would meet their projected requirement.

36) It is further alleged by the respondent that Sh. Nikunj Rastogi is already running a business under the name and style of 'Vaibhav Properties' in shop no.6, however, the respondent has not led into evidence any document such as GST details or form 32 details of the said 'Vaibhav Properties' so as to prove that Sh. Nikunj Rastogi is the proprietor or a partner or a director thereof. Similarly, RW1 has alleged that the grandsons of petitioner no.1 have started their business of eatery in the name of 'café Gainz" in shop no.4 and 5 in the property bearing no.E-4/10 and he has also led into evidence photographs Ex.RW1/4 in this regard, however, again, no such document of proprietorship, partnership or directorship has been led into evidence by RW1 to prove that the said three grandsons of petitioner no. 1 are the owners of the said 'Café Gainz' which is being run in the shop no. 4 and 5. Upon the perusal of the photographs Ex.RW1/A, it is revealed that although a flex board of 'Café Gainz' is visible therein but neither the name nor the details of the said three grandsons of petitioner no. 1 are reflected therein. Even the address of the said shop is not reflected in the flex board of the 'Cafe Gainz". Thus, merely from the photographs Ex.RW1/4, it cannot be concluded that the grandsons of petitioner no. 1 have opened the said 'Cafe Gainz". It has been held in the case of Hasmat Rai (supra) that "this requirement must continue throughout the progress of the litigation and must exist on the date of decree and when we say decree we mean the decree of the Final Court. Any other view would defeat the beneficial provision of a welfare legislation like the Rent Restriction Act." However, in the given facts and circumstances of this case, this court is of the view that since the respondent has failed to prove that grandsons of petitioner no. 1 have opened their own cafe, therefore, she has failed to prove that the projected need of the petitioners does not exist anymore. As such, this court is of the view that the aforesaid decision is not applicable upon the facts and circumstances of the present matter.

37) Further, the respondent has alleged that Sh. Nimish Rastogi is doing his own business of stock market trading whereas Sh. Vaibhav Rastogi is engaged in the business of real estate alongwith

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RC.REV. 304/2026

Page 6 of 15



2026:DHC:7249



his father Sh. Ajay Rastogi. In this regard, PW1 has duly stated in his cross-examination that Sh. Nimish Rastogi is doing a part time job of trading in stock market from his home itself, whereas he has denied that Sh. Vaibhav Rastogi is running the business of real estate alongwith his father Sh. Ajay Rastogi in Noida. Thus, it has come on record that Sh. Nimish Rastogi is not doing any full time job and it has also come on record that Sh. Vaibhav Rastogi is not assisting his father in the business of real estate as alleged by the respondent. In these circumstances, it was incumbent upon the respondent to lead into evidence any record or document to prove that Sh. Nimish Rastogi is engaged in a full time job and that Sh. Vaibhav Rastogi is in fact running the business of his father and is earning a handsome income from there. However, the respondent has failed to lead any such evidence so as to rebut the case of the petitioners. PW 1 has stated in his cross-examination that it is Sh. Nikunj Rastogi who sits at the shop of Sh. Ajay Rastogi. Be that as it may, even if it is believed that Sh. Vaibhav Rastogi or Sh. Nikunj Rastogi are assisting Sh. Ajay Rastogi in his business even then it is evident that Sh. Vaibhav Rastogi and Sh. Nikunj Rastogi are not doing any independent business of their own. And now, if they intend to open their joint venture then they are very much entitled to do the same and the respondent being a tenant does not have any right to dictate the petitioners that their aforesaid grandsons and sons cannot open any such joint venture and that they will have to continue to sit idle or to continue to assist their parents in their business. It has been held in the case of Inderjeet Kaur (supra) that "when possession is sought on the ground of personal requirement, an absolute need is not to be satisfied but a mere desire equally is not sufficient. It has to be something more than a mere desire equally is not sufficient. It has to be something more than a mere desire. And being an enabling provision, the burden is on the landlord to establish his case affirmatively." In the present matter, as already stated hereinabove, nothing has come on record to suggest that Sh. Nikunj, Sh. Nimish and Sh. Vaibhav are already earning a handsome income, therefore, there is no requirement for them to open a Gymnasium-cumfitness centre. Similarly, it has also not come on record that the aforesaid persons own any other commercial property in their own names so as to say that they are not entitled for seeking eviction of the respondent qua the tenanted premises. As such this Court is of the view that the facts and circumstances of the aforesaid decision are also not applicable upon the present matter.

38) The respondent has further pleaded that the petitioners have not pleaded the dependency of Sh. Nikunj Rastogi, Sh. Nimish Rastogi and Sh. Vaibhav Rastogi upon petitioners no. 2 to 4 and similarly that petitioners no.1,2 and 4 have not pleaded their dependency upon petitioner no.3, therefore, petitioner no.1, petitioner no.2 and petitioner no.4 cannot claim the share of petitioner no.3. In this

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RC.REV. 304/2026

Page 7 of 15



2026:DHC:7249



regard this court is of the view that the petitioners no.1,2 and 4 have not claimed the share of petitioner no.3. During the course of arguments it has been duly clarified by Id. counsel for petitioners that petitioner no.3 has been impleaded as a party merely because he is also one of the co-sharers and he has no objection if the entire ground floor of the property no.E-4/10 is utilized for the purpose of opening a gymnasium-cum-fitness centre by the aforesaid beneficiaries. It is a settled position of law that every co-sharer is the owner of each and every inch of the co-owned property, therefore, even if petitioner no.3 would not have filed the present petition even then the same would have been maintainable and now when all the co-sharers of the tenanted premises have come forward to seek possession of the tenanted premises specifically for the bonafide requirement of Sh. Nikunj Rastogi, Sh. Nimish Rastogi and Sh. Vaibhav Rastogi alongwith Sh. Nitin Rastogi and Rachit Rastogi, therefore, it was not required to specifically plead that the aforesaid grandsons of petitioner no.1 are dependent upon petitioner no.2 to 4 as well or that petitioner no.1, petitioner no.2 and petitioner no.4 are also dependent upon petitioner no.3. Thus, considering the aforesaid facts and circumstances this court is of the view that as far as the bonafide requirement of the petitioners is concerned then the same has been duly proved by the petitioners in the present matter.

39) Coming to the availability of alternate suitable accommodation with the petitioners, then it is their case that there are 9 shops on the ground floor out of which shop no.1,3,5,6 and 7 are with the respective tenants whereas shop no.2, 4, 8 & 9 are already with the petitioners. That shop no.2 is with Sh. Nitin Rastogi, shop no.4 is with Sh. Ajay Rastogi whereas the shops no.8 and 9 are lying vacant. Admittedly, the shops no.5,6 and 7 have also been vacated by the respective tenants during the pendency of the present petition and it is, thus, contended by the respondent that the said shops are also available with the petitioners now. In this regard, the petitioners have duly disclosed in their petition itself that they require the entire ground floor of the property no.E-4/10 for their projected need for which they also require the other tenanted shops and for which they have already filed other eviction petitions against the respective tenants. Thus, even if shops no.5,6 and 7 have been vacated during the pendency of the present petition the same cannot be said to be an alternate accommodation for the petitioners since the said shops alongwith the tenanted premises are required by the petitioners for their projected need."

(emphasis supplied)

17. Learned counsel for the Petitioner seeks to assail the Impugned Judgment substantially on the same grounds which were urged before

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RC.REV. 304/2026

Page 8 of 15



the learned RC. The principal contention is that the Respondents do not, in fact, require the subject premises bona fide and that the projected requirement of establishing a Gymnasium-cum-Fitness Centre for the benefit of their family members is merely a ruse to secure eviction of the Petitioner and thereafter let out the premises at a higher rent. It is further contended that the beneficiaries of the projected requirement are already engaged in various occupations/business activities and that the Respondents have sufficient alternate accommodation available with them.

18. At the outset, this Court finds that none of the aforesaid contentions discloses any jurisdictional error, perversity or material irregularity in the approach adopted by the learned RC. The learned RC has considered each of these objections in detail and has returned findings on the basis of the pleadings and evidence available before it. The mere fact that the Petitioner seeks to place a different interpretation upon the evidence, or that another view may conceivably be taken therefrom, cannot furnish a ground for interference in exercise of the limited revisional jurisdiction under the proviso to Section 25-B(8) of the DRC Act.

19. As regards the challenge to the bona fide requirement, the learned RC has specifically considered the contention that the projected beneficiaries were already earning their livelihood and, therefore, did not require the subject premises. Upon appreciation of the evidence, the learned RC found that Sh. Nikunj Rastogi, Sh. Nimish Rastogi and Sh. Vaibhav Rastogi, for whose benefit the requirement was primarily projected, were not shown to be carrying on any independent business or employment which would disentitle them from commencing a new venture. The learned RC further noted



that the alleged involvement of Sh. Nimish Rastogi in stock-market trading was only on a part-time basis and from his residence, while the alleged involvement of Sh. Vaibhav Rastogi in the business of his father was not substantiated by any independent evidence. These findings are based upon the evidence led before the learned RC and cannot be said to suffer from any perversity.

20. It is equally well settled that a landlord cannot be compelled to establish that the proposed business constitutes the only means of livelihood available to the person for whose benefit the premises are sought. The fact that a member of the family may already be earning some income or may be assisting in an existing family business does not, by itself, extinguish a bona fide desire to establish an independent venture. The learned RC, therefore, cannot be faulted for holding that the proposed Gymnasium-cum-Fitness Centre could constitute a genuine and legitimate requirement, particularly when the Petitioner failed to place on record material demonstrating that the projected beneficiaries were already carrying on an independent business of such nature or magnitude as would render the projected requirement inherently improbable.

21. The contention that the Respondents have approached the Court without clean hands and intend to re-let the premises at a higher rent is also devoid of merit. The allegation, being one of fact, was required to be substantiated by cogent material. The learned RC has considered the evidence led by the Petitioner and has found no material establishing that the projected requirement is a mere pretext for re-letting the premises. In the absence of any such material, a mere allegation of an ulterior motive cannot constitute a triable issue warranting leave to defend, much less justify interference with the



final finding returned by the learned RC.

22. The Petitioner has further relied upon the alleged availability of other shops in the same property. This contention, too, has been specifically considered by the learned RC. It has been recorded that shops bearing Nos. 8 and 9 were already lying vacant and that shops bearing Nos. 5, 6 and 7 had also fallen vacant during the pendency of the proceedings. However, the Respondents had, from the inception, pleaded that their requirement was not confined to the subject premises alone but extended to the entire ground floor of property bearing No. E-4/10 for establishing the proposed Gymnasium-cum-Fitness Centre, and that eviction proceedings had already been initiated against the other tenants occupying the remaining shops.

23. In this regard, the mere availability of some other premises cannot, in the facts of the present case, ipso facto establish the existence of suitable alternate accommodation. The question is not merely whether some physical space is available with the landlord, but whether such accommodation is reasonably suitable for the requirement projected by the landlord. The learned RC has returned a categorical finding that the other shops form part of the larger premises required for the proposed venture and that their availability, therefore, cannot be treated as an alternative which would negate the Respondents' requirement. No perversity or manifest error in this finding has been demonstrated before this Court.

24. It is also significant that the alleged vacation of shops bearing Nos. 5, 6 and 7 occurred during the pendency of the eviction proceedings. The learned RC has not ignored this circumstance; rather, it has expressly taken note thereof and examined whether such subsequently vacated premises could constitute alternate suitable



accommodation. Having regard to the Respondents' consistent case that the entire ground floor is required for the proposed venture, the conclusion that such premises could not, by themselves, defeat the bona fide requirement cannot be characterised as unreasonable or perverse.

25. The reliance placed by the Petitioner upon the alleged conduct of the Respondents in respect of other shops is equally insufficient to warrant interference. The Petitioner has sought to contend that the Respondents had earlier secured vacation of other premises on the ground of bona fide requirement but thereafter either kept those premises unused or utilised them for purposes different from those originally projected. However, the learned RC has considered the material placed before it and the Petitioner has not demonstrated any finding in the Impugned Judgment which ignores a material piece of evidence or proceeds on an erroneous legal premise. In any event, an allegation that the Respondents had acted otherwise in respect of other premises cannot, without cogent evidence establishing a deliberate pattern of false projection, lead to the conclusion that the present requirement is not *bona fide*.

26. This Court is also unable to accept the submission that the mere fact that certain beneficiaries are earning some income or are associated with an existing family business renders the proposed requirement not *bona fide*. The law does not require a landlord or the family member for whose benefit the premises are sought to establish that he is entirely without any source of income before seeking possession for commencing or expanding a business. What is required is a genuine requirement, as distinguished from a mere fanciful desire. The learned RC, after considering the material on record, has found



the requirement to be genuine. Such a factual determination, in the absence of perversity or an error apparent on the face of the record, falls outside the permissible scope of revisional interference.

27. It is further material that the learned RC has examined the alleged businesses of 'Vaibhav Properties' and 'Café Gainz' relied upon by the Petitioner and has found that the Petitioner failed to produce any documentary evidence establishing that the projected beneficiaries were the proprietors, partners or directors thereof. Similarly, the allegations regarding the involvement of Sh. Nimish Rastogi in stock-market trading and Sh. Vaibhav Rastogi in the business of Sh. Ajay Rastogi were also considered on the basis of the evidence led before the learned RC. The learned RC has consequently returned findings that the Petitioner failed to establish that the said beneficiaries were already engaged in independent businesses which would negate the projected requirement. These are findings of fact which cannot be reopened in the present proceedings merely because the Petitioner seeks a different assessment of the evidence.

28. The challenge founded upon the status of Sh. Nitin Rastogi and Sh. Rachit Rastogi also does not advance the case of the Petitioner. The learned RC has noticed that the Respondents had primarily projected the requirement for Sh. Nikunj Rastogi, Sh. Nimish Rastogi and Sh. Vaibhav Rastogi and had stated that the proposed venture was to be undertaken jointly with Sh. Nitin Rastogi and Sh. Rachit Rastogi. The fact that the latter two may themselves be earning or carrying on some activity does not render the requirement of the other beneficiaries non-existent. A family venture may legitimately comprise members who have different existing sources of income or occupations. The finding of the learned RC that the proposed joint



venture cannot be defeated merely because some of its proposed participants are already earning income does not suffer from any infirmity warranting revisional interference.

29. The submission regarding the impleadment of Petitioner No. 3 and the alleged absence of pleadings regarding dependency upon the other co-sharers has also been adequately dealt with by the learned RC. The learned RC has recorded that Petitioner No. 3 was impleaded as a co-sharer and had no objection to the entire ground floor being utilised for the projected requirement. It has further been held that the Respondents were not seeking to claim the share of Petitioner No. 3 but were seeking possession of the tenanted premises for the pleaded requirement of the beneficiaries. No legal infirmity in this finding has been demonstrated before this Court.

30. It is thus evident that the learned RC has not mechanically accepted the case of the Respondents. On the contrary, the objections raised by the Petitioner regarding the employment/business activities of the beneficiaries, the alleged availability of alternate accommodation, the alleged business establishments in other shops, the subsequent vacation of certain shops and the status of the co-sharers have all been specifically considered. The findings returned by the learned RC are supported by the material which was before it. The Petitioner, in substance, seeks this Court to reassess that material and arrive at a conclusion different from that reached by the learned RC. Such an exercise is plainly outside the scope of the jurisdiction under Section 25-B(8) of the DRC Act.

31. This Court is conscious that the revisional jurisdiction under the proviso to Section 25-B(8) is not an appellate jurisdiction and that the Court is not required to undertake a fresh examination of the evidence



merely to ascertain whether a different conclusion could have been reached. Unless the finding of the learned RC is shown to be so unreasonable that no judicial forum could have arrived at it on the material available, or is vitiated by a manifest illegality, jurisdictional error or perversity, interference would not be justified. No such infirmity has been established in the present case.

32. The Petitioner has, therefore, failed to demonstrate any error apparent on the face of the record or any material irregularity in the decision-making process adopted by the learned RC. The Impugned Judgment reflects due consideration of the rival pleadings, the evidence led by the parties and the objections raised by the Petitioner. The conclusions reached therein are neither perverse nor contrary to law so as to warrant exercise of the limited revisional jurisdiction of this Court.

33. Accordingly, this Court finds no merit in the present Petition. The Impugned Judgment dated 09.06.2026 passed by the learned Senior Civil Judge-cum-Rent Controller, District Shahdara, Delhi, in RC ARC No.71/2023 does not warrant any interference. The present Petition is, accordingly, dismissed.

34. The present Petition, along with pending application(s) if any, stands disposed of in the aforesaid terms.

HARISH VAIDYANATHAN SHANKAR, J.
AUGUST 24, 2026/rk/va