

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Revision No. 2096 of 2014 (O&M)
Date of decision: 27.7.2015

Savitri Devi

.. Petitioner

v.

Hanuman Parsad and others

..Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. J. P. Sharma, Advocate for the petitioner.

...

Rajesh Bindal J.

One of the tenants has challenged the orders passed by both the courts below, whereby she has been directed to be evicted from the premises in dispute on the ground of personal necessity.

It was pleaded by the landlord that the premises in dispute was rented out to Mahadev Parsad, predecessor-in-interest of the petitioner and respondents No. 2 and 3, on a monthly rent of ₹ 200/- vide rent note dated 25.5.1996 w.e.f. 1.5.1996 for a period of 10 months. The rent was subsequently increased to ₹ 250/- per month. The eviction petition was filed on the ground of non-payment of rent and personal necessity. The landlord sought to settle his two sons in the shop in question. One was stated to be a graduate and the other had completed his 10+2. He left studies and was unemployed. The landlord was cross-examined at length on the evidence led by him regarding his personal necessity, but the same could not be demolished. It was found that both the sons of the landlord were idle and were not doing anything. Though along with the present petition, the petitioner has filed application seeking to lead additional evidence to state

that one of the sons of the landlord has been appointed as Constable Driver in CRPF, however, she could not controvert the fact regarding the other son of the landlord being unemployed, to whom the respondent-landlord sought to settle in business.

Considering the fact that personal necessity of the respondent-landlord of the premises in dispute was found to be genuine, there is no error in the judgments passed by both the courts below, which require interference by this court in revisional jurisdiction. Accordingly, the present petition is dismissed.

(Rajesh Bindal)
Judge

27.7.2015
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