

HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CIVIL REVISION PETITION No.3172 of 2016

ORDER:

This Civil Revision Petition under Article 22 of Andhra Pradesh Buildings (Lease, Rent and Eviction) Control Act, 1960 (for short ' the Act 1960) is filed by the tenant in occupation of the premises i.e., respondent Nos. 1 to 3, before II Addl. Rent Controller, City Small Causes Court, Hyderabad and Appellant in R.A.No.74 of 2013 on the file of Chief Judge, City Small Causes Court, Hyderabad.

2. The landlord filed petition under Section 10(2) (i), 10(2)(ii)(b) of the Act 1960 for eviction of tenant, mostly on the ground of willful default, *bona fide* requirement, sub-letting, change of uses and causing nuisance etc., But, the Rent Controller disbelieved willful default and other grounds except ordering eviction under 10(2) (i), 10(2)(ii)(b) of the Act 1960 and the Appellate Court by Order dt.25.02.2016 confirmed the Order passed by the Rent Controller granting four months time to evict the premises and deliver vacant possession of the schedule property, which expired by 10th of this month.

4. During hearing, Sri J. Sreenivasa Rao, learned counsel for the petitioners, requested this Court to grant one year time to vacate the premises and deliver vacant possession of the premises. But, the learned counsel for respondent opposed the

request on the ground that four months time granted by the Appellate Court had already been elapsed. However, the appellants are carrying on business, which is the main source of their livelihood. Taking into consideration the nature of business carried on by the appellants, I find that it is a fit case to grant six months time to vacate the premises and deliver vacant possession of the premises to the respondent. Accordingly, the appellants are directed to file an affidavit before Rent Controller, undertaking to vacate the premises, as stated above, within a week from today.

5. With the above direction, the Revision Petition is disposed of confirming the Order dt. 8.04.2013 in RC.No.54/09 on the file of II Additional Rent Controller, Small Causes Court, Hyderabad, confirmed by the Appellate Court by its Order dt. 25.02.2016 in R.A.No.74 of 2013 on the file of Chief Judge, city Small Causes Court, Hyderabad. In the event of failure to file an affidavit, as directed in para No.4 of this Order the respondent/Landlord is entitled to execute the Decretal order in accordance with law.

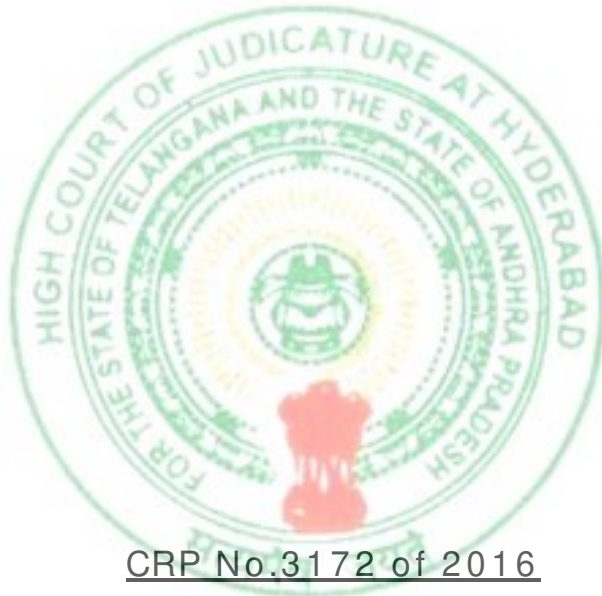
As a sequel, miscellaneous petitions, if any, pending in this case, shall stand closed.

M. SATYANARAYANA MURTHY, J

Date: 20-09-2016.

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CRP No.3172 of 2016

Dt. 20-09-2016

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