

\$~

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

%

Date of decision: July 17, 2017

+ RC.REV. 604/2015

ASIYA JAMIL

..... Petitioner

Through Ms. Zubeda Begum, Ms. Sana Ansari
and Ms. Manisha Mehta, Advocates

versus

CANARA BANK

..... Respondent

Through

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

JAYANT NATH, J. (ORAL)

1. This Revision Petition is filed under section 25(B)(8) of the Delhi Rent Control Act, 1958 (hereinafter referred to as the DRC Act) seeking to challenge the order dated 1.8.2015 passed by the Additional Rent Controller (hereinafter referred to as the ARC) under section 14(1)(e) read with section 25B of the DRC Act granting leave to the respondent/tenant to defend the present eviction petition.

2. This matter was heard on 20.10.2016 when I had heard learned counsel for the petitioner Ms.Zubeda Begum and learned counsel for the respondent Sh.Prashant Kumar Mittal and the matter was kept for orders. However, as certain clarifications were required the matter was fixed for further arguments/clarifications on 05.07.2017. On that date Ms. Zubeda Begum, learned counsel for the petitioner appeared. As none appeared for

the respondent, the matter was kept for subsequent dates but none appeared for the respondent.

3. The brief facts are that the property in question being (Ground Floor) part of property 2378-82 Chashma Building, Ballimaran, Delhi-110006 was let out to M/s.Lakxmi Commercial Bank at a rent of Rs.240/- per month. The bank has subsequently merged with the respondent bank. The petitioner states in the petition that she is a middle aged lady who is having no business or work of her own. She seeks to carry out some respectable business in order to meet her livelihood in a decent and respectable manner. At present it is stated that she is dependent upon the meager rental income from her tenants of properties and this income is not sufficient for the petitioner to live comfortably in a respectable manner. She further states that there is nobody to look after her financial needs.

4. The respondent/tenant filed an application under section 25B(4) of the DRC Act seeking grant of leave to contest the petition. In the application it was urged that on 16.1.1988 the petitioner and Ms.Atiya Rehman had requested the respondent bank that the other co-sharers of the property had gifted the said suit property to the petitioner and Ms.Atiya Rehman on 10.12.1983 according to Muslim Personal Law and they have become the sole owners of the property. It is urged that in the present eviction petition the petitioner is claiming exclusive ownership on the basis of relinquishment deed dated 8.9.2006. Prior to the present petition it is urged that no such fact was brought to the notice of the respondent and till date the rent is being received in the joint names of the petitioner and Ms.Atiya Rehman. It was also urged that the stated requirement of the petitioner is vague as there is no disclosure as to what business the petitioner seeks to do or wants to do. She

has also not stated about her experience/knowledge of business which she is planning to do. It was also pointed out that the eviction petition has been filed by the petitioner against a school being run by the Municipal Corporation of Delhi on the ground that the building is in a dilapidated condition. The said school is on the first floor of the aforesaid building from where the respondent bank is operating. Hence, it is urged that the grounds of the petition are self contradictory.

5. The ARC by the impugned order has granted leave to defend to the respondent on the following salient grounds:-

(i) first triable issue that arises is about non-disclosure of relevant facts inasmuch as in the letters written in 1980s the petitioner has claimed herself to be the joint owner of the property with one Ms.Atiya Rehman. However, in the Eviction Petition she claims to be the sole owner and despite the objections raised by the respondent the petitioner has not clarified the fact
(ii) the second triable issue that arises is with regard to the bona fide requirement projected. It is further stated that the rental income is nowhere stated. The petition is vague and lacks clarity with regard to the need of the petitioner.

6. Based on the above two grounds the ARC has granted leave to defend to the respondent.

7. I may first see the scope of the present petition. The Supreme Court in *Shiv Sarup Gupta vs. Dr.Mahesh Chand Gupta, (1999) 6 SCC 222/(MANU/SC/0132/1999)* described the revisional powers of this court as follows:-

“11..... The phraseology of the provision as reproduced hereinbefore provides an interesting reading placed in

juxtaposition with the phraseology employed by the Legislature in drafting Section 115 of the CPC. Under the latter provision the exercise of revisional jurisdiction of the High Court is circumscribed by the subordinate court having committed one of the three errors, namely (i) having exercised jurisdiction not vested in it by law, or (ii) having failed to exercise a jurisdiction so vested, or (iii) having exercised its jurisdiction with illegality or material irregularity. Under the proviso to Sub-section (8) of Section 25B, the expression governing the exercise of revisional jurisdiction by the High Court is 'for the purpose of satisfying if an order made by the Controller is according to law'. The revisional jurisdiction exercisable by the High Court under Section 25B(8) is not so limited as is under Section 115 C.P.C. nor so wide as that of an Appellate Court. The High Court cannot enter into appreciation or re-appreciation of evidence merely because it is inclined to take a different view of the facts as if it were a court of facts. However, the High Court is obliged to test the order of the Rent Controller on the touchstone of "whether it is according to law". For that limited purpose it may enter into re-appraisal of evidence, that is, for the purpose of ascertaining whether the conclusion arrived at by the Rent Controller is wholly unreasonable or is one that no reasonable person acting with objectivity could have reached that conclusion on the material available..."

8. Hence, this court is to test the order of the ARC to see whether it is according to law, and whether the conclusions are not wholly unreasonable.

9. Section 14(1)(e) of the DRC Act reads as follows:

“14. Protection of tenant against eviction.- (1) Notwithstanding anything to the contrary contained in any other law or contract, no order or decree for the recovery of

possession of any premises shall be made by and court or Controller in favour of the landlord against a tenant:

Provided that the Controller may, on an application made to him in the prescribed manner, make an order for the recovery of possession of the premises on one or more of the following grounds only, namely:-

XXXXX

(e) that the premises let for residential purpose are required bona fide by the landlord for occupation as a residence for himself or for any member of his family dependent on him, if he is the owner thereof, or for any person for whose benefit the premises are held and the landlord or such person has no other reasonably suitable residential accommodation.”

10. The essential ingredients which a landlord/respondent is required to show for the purpose of getting an eviction order for bona fide needs are (i) the respondent is the owner/landlord of the suit premises (ii) the suit premises are required bona fide by the landlord for himself and any of his family members dependent upon him. (iii) the landlord or such other family members has no other reasonable suitable accommodation.

11. In the present case the trial court declined to grant leave to defend to the petitioner. The parameters for granting leave to defend are well known.

12. This court in the case of *Sarwan Dass Bange vs. Ram Prakash*, **MANU/DE/0204/2010** noted as follows:-

“7. The Controller has not discussed as to how the pleas raised by the respondent/tenant in the application for leave to defend are such which if established by adducing evidence would disentitle the petitioner/landlord of an order of eviction under

Section 14(1)(e) of the Act. Ordinarily, when a tenant approaches an advocate for drafting a leave to defend application, the advocate, using his legal acumen would dispute each and every plea of the landlord in the eviction petition. However, merely because the tenant so disputes and controverts the pleas of the landlord does not imply that the provision of summary procedure introduced in the Act with respect to ground of eviction on the ground of requirement is to be set at naught. The Controller is required to sift/comb through the application for leave to defend and the affidavit filed therewith and to see whether the tenant has given any facts/particulars which require to be established by evidence and which if established would disentitle the landlord from an order of eviction. The test is not of the tenant having controverted/denied the claim of the landlord and thus disputed questions of fact arising; the test is to examine the pleas of facts and then to determine the impact thereof.”

13. Similarly, this court in *Deepak Gupta vs. Sushma Aggarwal, 2013 202 DLT 121* held as follows:-

“24.From the mere reading of the afore mentioned illuminating observations of the Supreme Court in the case of Precision Steels (supra), it is apparent that the Controller has a statutory duty to grant the leave to defend if the affidavit discloses the facts which could raise suspicion on the genuineness of the need of the landlord which can in effect disentitle the landlord from recovering the possession on the ground of bonafide requirement. The likelihood of success or the failure of the defence is not really determinative of the question as to grant or not grant of the leave to defend but the real question is tenability of the plea which may raise a suspicion on the need of the landlord which may if proved can also lead to disentitlement to the recovery of the possession. Thus, the plea raising a doubt in the mind of the Controller is sufficient to grant the leave. The Controller can also not

record the findings on disputed question of the facts by preferring the one set of facts over and above the other. The merits of the pleas raised are not to be gone into at the time of the grant of the leave to defend by going into the complicated questions of fact. For making the enquiry, the affidavit filed by the tenant is helpful.

25. The views expressed by the Supreme Court in the case of Charan Dass (supra) and Precision Steel (supra) are holding the field and have been consistently followed by the Supreme Court till recently and also by this court from time to time. (kindly see the case of Inderjit Kaur vs. Nirpal Singh, : 2001 (1) R.C.R. 33 and Tarun Pahwa vs. Pradeep Makin, : 2013 (1) CLJ 801 Del.)”

I may hence test the findings recorded by the ARC on the touchstone of the requirement of the parameters stated above for determining as to whether the trial court rightly granted leave to defend to the respondent.

14. I have heard learned counsel for the parties. Learned counsel appearing for the petitioner has pointed out that as per the Relinquishment Deed executed by Ms. Atiya Rehman in 2006 which is on record the petitioner has become absolute owner. In any case it is urged that a co-owner can file an eviction petition on her own without impleading the other co-owner. Reliance is placed on *Mohinder Prasad Jain vs. Manohar Lal Jain, (2006) 2 SCC 724*. Reliance is also placed on *Raj Kumar Khaitan and Others versus Bibi Zubaida Khatun and Another, (1997) 11 SCC 411* to show that in similar circumstances, the court passed an eviction order in favour of the landlord.

15. Learned counsel for the respondent has reiterated that the petitioner has concealed material facts. It is pointed out that earlier also eviction petition was filed under section 14(1)(b) of the Act i.e. sub-letting on the

ground that the original tenant Laxmi Commercial Bank has parted possession to a third party, namely, the respondent. The said eviction petition was dismissed and there is no reference to the same. Reliance is also placed on the eviction petition filed by the petitioner regarding the first floor where it is stated that a plea has been taken that the building in question is unsafe. It is also urged that the petitioner has also not disclosed details of her family.

Learned counsel for the respondent has claimed that the first floor has long back been repaired and the said averment of the respondent is misplaced.

16. I may first deal with the ground on which the ARC has granted leave to defend to the petitioner. The impugned order states the first ground for granting leave to defend as non-disclosure about the other co-owner in the petition. It is a matter of fact that the relinquishment deed executed by Ms. Atiya Rehman in favour of the petitioner dated 8.9.2006 is a registered document and is on record. Even otherwise, it is settled law by catena of judgments of the Supreme Court and this court that one co-owner can file an eviction petition in his individual capacity without impleading other co-owners as a party in the eviction petition. Reference in this context may be had to judgment of the Supreme Court in ***Kasthuri Radhakrishnan & ors. vs. M. Chinnian and Others, 2016 (3) SCC 296*** where in para 35 the court held as follows:-

35. Likewise, so far as issue pertaining to joinder of all co-owners in eviction petition filed against the tenant under the Rent Laws is concerned, the same also remains no more res Integra and stands settled by several decisions of this Court. In *Dhannalal v. Kalawatibai Ors., (Supra)*, this Court took note of all case laws on the subject and explained the legal position governing the issue. Justice R.C. Lahoti (as His

Lordship then was) speaking for the Bench held in paragraph 16 as under:

16. It is well settled by at least three decisions of this Court, namely, *Sri Ram Pasricha v. Jagannath* MANU/SC/0473/1976 : (1976) 4 SCC 184, *Kanta Goel v. B.P. Pathak* MANU/SC/0348/1977 : (1977) 2 SCC 814 and *Pal Singh v. Sunder Singh* MANU/SC/0404/1989 : (1989) 1 SCC 444 that one of the co-owners can alone and in his own right file a suit for ejectment of the tenant and it is no defence open to the tenant to question the maintainability of the suit on the ground that the other co-owners were not joined as parties to the suit. When the property forming the subject-matter of eviction proceedings is owned by several owners, every co-owner owns every part and every bit of the joint property along with others and it cannot be said that he is only a part-owner or a fractional owner of the property so long as the property has not been partitioned. He can alone maintain a suit for eviction of the tenant without joining the other co-owners if such other co-owners do not object. In *Sri Ram Pasricha* case reliance was placed by the tenant on the English rule that if two or more landlords institute a suit for possession on the ground that a dwelling house is required for occupation of one of them as a residence the suit would fail; the requirement must be of all the landlords. The Court noted that the English rule was not followed by the High Courts of Calcutta and Gujarat which High Courts have respectfully dissented from the rule of English law. This Court held that a decree could be passed in favour of the Plaintiff though he was not the absolute and full owner of the premises because he required the premises for his own use and also satisfied the requirement of being "if he is the owner", the expression as employed by Section 13(1)(f) of the W.B. Premises Tenancy Act, 1956.

36. The issues involved in this case need to be decided keeping in view the law laid down in the aforesaid three cases and the one cited infra”

17. Similarly, this court in *Puran Chand Aggarwal vs. Lekh Raj* 210(2014) DLT 131 held as follows:-

22. Another plea raised by the petitioner is that the other LR's of the deceased father Sh. Ramji Lal have not become parties. It is settled law that it is not necessary for them to become parties in the eviction petition as they have no interest in the tenanted shops which have come into the share of the respondent. There is no affidavit on behalf of other co-owners to contradict the claim of the respondent. It is sufficient if the LR's of the deceased, by virtue of title become owner and landlord in the tenanted premises and it is not necessary to bring on record each and every legal heir of the deceased in the absence of contrary evidence produced by the tenant. In the present case, neither any such document is available nor is any argument addressed in this regard. Therefore, this issue is also not a triable issue.

23. The following cases are relevant in this regard, i.e. on the issue of co-ownership:-

(i) This Court in *Ram Dulari thr. LR's v. Om Parkash Gupta & Anr.*, MANU/DE/1017/2010 : 169 (2010) DLT 301, observed that the learned Additional Rent Control Tribunal went wrong in holding that the petitioner being owner only of a part of the premises could not have filed the eviction petition unless she was joined by her husband, who was a joint owner of the premises. Even otherwise, it is settled law that the court can take into account subsequent events and in this case, the petitioner's husband had died soon after filing of the petition and she became the owner of not only in her own right but as legal heir of her husband of the remaining portion of the

premises. Learned Additional Rent Control Tribunal could not have ignored this fact.

(ii) In *Yashpal v. Chamanlal Sachdeva*, MANU/DE/8355/2006 : 129 (2006) DLT 200, it was held that a co-owner can maintain a petition and that the inter se arrangement between owners is no business of the tenant.

(iii) In *India Umbrella Manufacturing Co. and Ors. v. Bhagabandei Agarwalla (Dead) by L.R.s and Ors.*, MANU/SC/0002/2004 : AIR 2004 SC 1321, the Supreme Court observed that one of the co-owners can file a suit for eviction of a tenant in the property generally owned by the co-owners and this principle was based on doctrine of agency. One co-owner filing a suit for eviction against the tenant does so, on his own behalf in his own right and as an agent of the other co-owners. The consent of other co-owners is assumed as taken unless it is shown that the other co-owners were not agreeable to eject the tenant.

(iv) In *Col. Inderjeet Singh v. Mr. Vikram Singh & Anr.*, MANU/DE/3281/2012 : 194 (2012) DLT 209, it was observed that it is a settled principle of law that one of the co-owners can file a suit for eviction of tenant in a property generally owned by the co-owners. (also see *M/s. India Umbrella Manufacturing Co. and Others vs. Bhagabandei Agarwalla (Dead) by LRs Smt. Savitri Agarwalla and Ors.* MANU/SC/0002/2004 : AIR 2004 SC 1321, paragraph 6 cited *Sri Ram Pasricha vs. Jagannath and Others*, MANU/SC/0473/1976 : 1977 1 SCR 395; *Dhannalal vs. Kalawatibai and Others*, MANU/SC/0565/2002 : AIR 2002 SC 2572). A co-owner filing a suit for eviction does so on his own behalf and in his own right and as an agent of other co-owners. The consent of other co-owners is assumed to be taken unless, it is shown that other co-owners were not agreeable to eject the tenant and the suit was filed in disagreement.

In the present case, the suit was preferred by the plaintiff himself. One of the co-owners, cannot withdraw his consent so as to prejudice the other co-owner. The suit once filed, the rights of the parties stand crystallized on the date of the suit and the entitlement of the co-owners to seek ejectment must be adjudged by reference to the date of institution of the suit. (See also *Mohinder Prasad Jain vs. Manohar Lal Jain*, MANU/SC/8054/2006 : AIR 2006 SC 1471, paragraphs-7 & 8).

(v) In *Sri Ram Pasricha vs. Jagannath and Ors.*, MANU/SC/0473/1976 : AIR 1976 SC 2335, it was observed that jurisprudentially, it is not correct to say that a co-owner of a property is not its owner. He owns every part of the composite property along with others and it cannot be said that he is only a part-owner or a fractional owner of the property. The position will change only when partition takes place. It is, therefore, not possible to accept the submission that the plaintiff who is admittedly the landlord and co-owner of the premises is not the owner of the premises within the meaning of Section 13(1)(f). It is not necessary to establish that the plaintiff is the only owner of the property for the purpose of Section 13(1)(f) as long as he is a co-owner of the property being at the same time the acknowledged landlord of the defendants.

(vi) In *Sheikh Mohd. Zakir & Ors. v. Shahnaz Parveen & Ors.*, MANU/DE/3379/2012 : 2012 (2) RCR (Rent) 235, it was observed that in the suit between the landlord and tenant, a third person claiming to be co-owner of the property cannot intervene as the issue of ownership could not be decided in the proceedings under the DRCA..... It is not necessary that all co-owners need to file the petition for eviction.

(vii) In *Krishan Lal vs. Rajan Chand Khanna*, MANU/DE/0679/1992 : AIR 1993 Delhi 1, it was observed that being a heir, the person will be one of the co-owners of

the property and as such will be entitled to file the eviction petition under Section 14(1)(e) of the Act.

(viii) In *Fibre Bond (Sales) Pvt. Ltd. vs. Smt. Chand Rani*, 1993(1) RCR 492 it was held that widow, a co-landlady of the premises can initiate eviction proceedings against the tenant in absence of other co-owners.”

18. It is also an admitted fact that there is no averment in the eviction petition about Ms.Atiya Rehman but the petitioner has placed on record a copy of the registered Relinquishment Deed dated 8.9.2006 which has been executed apart from various other family members Ms.Atiya Rehman. The respondents in their application for leave to defend have noted about this Relinquishment Deed. The only grievance of the respondent was that they were not informed earlier about the same prior to filing of the petition. It is manifest that even if there was no information available with the Bank or that the Eviction petition did not mention about the Relinquishment Deed, the petitioner at best can be treated to be a co-owner based on the objections/averments of the respondent. In the eventuality of her being treated as a co-owner, in view of the settled legal position she is entitled to file an eviction petition in her individual capacity without impleading any other co-owner. The finding recorded by the ARC that a triable issue is raised on this account i.e. absence of any explanation of the other co-owner Ms.Atiya Rehman is completely misfounded and is contrary to the settled legal position.

19. The second ground on which leave to defend has been granted by the ARC is the projected bona fide requirement. The ARC concludes that a perusal of the petition makes it clear that the ground taken is vague and there

is no clarity in the petition regarding the need of the petitioner as the alleged projected need is not elucidated. A perusal of the eviction petition will show that the petitioner clearly points out that she is a middle aged lady with no business or work and seeks to start her own work in order to meet her livelihood in a decent and respectable manner. She has clarified that she has meager rental income from her tenants of property who are old tenants.

20. It is settled by a catena of judgments that the landlord has not to give elaborate description of the business or the nature of business that she seeks to carry out in the premises. Reference in this context may be had to the judgment of this court in the case of *Puran Chand Aggarwal vs. Lekh Raj* (*supra*)

27. The following judgments do help the case of the respondent:

Start new business/no experience required

(i)

(ii)

(iii) In *Balwant Singh Chowdhary & Anr. vs. Hindustan Petroleum Corporation Ltd.*, 2004 (1) RCR 487, it was held that "It is not necessary for the landlord to plead and prove the specific business he wants to set up, if the landlord wanted the premises for business purposes."

(iv) In *Gurcharan Lal Kumar vs. Srimati Satyawati & Ors.*, MANU/DE/1078/2013 : 2013 (2) RCR (Rent) 120 it was observed that "Merely because the exact nature of business has not been described would not take away their bonafide need to carry out a business (when admittedly both the sons are dependent upon petitioner for this need). It was observed that if the business need is not disclosed this would not wipe away the bonafide need of the landlord as

has been pressed under Section 14(1)(e) of the DRCA, 1958."

(v) In *Raj Kumar Khaitan & Ors. vs. Bibi Zubaida Khatun & Anr.*, MANU/SC/0411/1995 : AIR 1995 SC 576, it was observed that "It was not necessary for the appellants-landlords to indicate the precise nature of the business which they intended to start in the premises. Even if the nature of business would have been indicated nobody would bind the landlords to start the same business in the premises after it was vacated."

21. Similarly, in *Ragavendra Kumar v. Firm Prem Machinery and Co.*, [2000] 1 SCR 77, it was held that it is the choice of the landlord to choose the place for the business which is most suitable for him. He has complete freedom in the matter.

22. The Supreme Court in *Dinesh Kumar vs. Yusuf Ali*. (2010) 12 SCC 740/(MANU/SC/0407/2010) held as follows:-

"9. However, in *Ram Dass v. Ishwar Chander & Ors.*, AIR 1988 SC 1422, this Court held that 'bona fide need' should be genuine, honest and conceived in good faith. Landlord's desire for possession, however honest it might otherwise be, has, inevitably, a subjective element in it. The "desire" to become "requirement" must have the objective element of a "need" which can be decided only by taking all relevant circumstances into consideration so that the protection afforded to tenant is not rendered illusory or whittled down. The tenant cannot be evicted on a false plea of requirement or "feigned requirement". (See also *Rahabhar Productions Pvt.Ltd. v. Rajendra K.Tandon*, AIR 1998 SC 1639: (1998 AIR SCW 1387); and *Shiv Sarup Gupta v. Dr.Mahesh Chand Gupta* (AIR 1999 SC 2507): (1999 AIR SCW 2666)."

23. In *Raj Kumar Khaitan and Others vs. Bibi Zubaida Khatun and Another (supra)* the Supreme Court in almost identical facts passed an eviction order. The facts as noted by the court were as follows:-

“3. We have heard learned counsel for the parties. Paras 11 and 12 of the plaint wherein bona fide requirement has been pleaded are as under:

“11. That the plaintiffs have got no other means of livelihood and want to start a business of their own in the Schedule II premises which is a fit and suitable site for business and has no building other than this for the said purpose and also that the plaintiffs have no means to hire another building of the similar site and as such require the disputed house for bona fide purpose.

12. That the plaintiffs require the Schedule II property for their personal necessity and the defendants are deliberately avoiding to vacate the same in spite of the fact that other building for carrying on the business may be available to the defendants.”

In these facts the Supreme Court held as follows:-

“4. It is clear from the averments made in the above-quoted paragraphs that the plaintiffs asserted that there were no other means of livelihood with them and as such they wanted to set up their own business in the premises in dispute. The High Court, however, came to the conclusion that apart from the above-quoted pleadings it was necessary to plead the nature of the business which the appellant-plaintiffs wanted to start in the premises. We are of the view that the High Court fell into patent error. It was not necessary for the appellant-landlords to indicate the precise nature of business “which they intended to start in the premises. Even if the nature of business would have been indicated nobody could bind the landlords to start the same business in the premises after it was vacated.”

24. In the present case also the petitioner states that she is un-employed. She wishes to start her own business. The clear case of bona fide requirement is made out.

25. I may note that in the Eviction petition the petitioner has made an averment that the tenanted premises is lying locked and is not being utilized. The learned counsel for the respondent had on 1.8.2016 on instructions from Shri Sushil Kumar Singh, AR of the respondent bank stated that a tenanted premise is being used as godown by the respondent bank.

26. The settled legal position is that merely because on account of clever drafting of the application for leave to defend, every plea of the landlord has been contradicted would not ipso facto imply that the tenant is entitled to leave to defend. In the present case the respondent/landlord is a middle aged lady presently without any occupation. She needs the premises rented out to the respondent bank for her own bona fide requirement for starting her own business. The respondents have failed to give facts/particulars which require to be established by evidence and which if established would disentitle the landlord from an order of eviction. The reasoning of the ARC granting leave to defend is entirely misconceived and suffers from material illegality.

27. Accordingly, the impugned order is set aside and the application seeking leave to defend filed by the respondent is dismissed. An eviction order is passed in favour of the petitioner. However, in terms of section 14 (7) of the DRC Act the petitioners are entitled to possession only on expiration of six months.

(JAYANT NATH)
JUDGE

JULY 17, 2017/n