

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Civil Revision No. 67 of 2015**

Keshav Kumar Gupta @ Munna, son of Late Kamta Prasad Halwai,
aged about 55 years, resident of Pratapganjpara, Jagdalpur, District
Bastar (C.G.), Civil & Revenue District BastarJudgment Debtor

---- Petitioner**Versus**

1. Anand Kumar Sharma, son of Late Balswaroop, aged about 55 years.
2. Raj Kumar Sharma, son of Late Balswaroop, aged about 50 years.

Both residents of Pratapganjpara, Jagdalpur, District Bastar (C.G.)
.....Decree holders

---- Respondents

For Petitioner : Shri B.P. Sharma, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****20/08/2018**

(1) The petitioner is a tenant. Decree for eviction was granted by the trial Court in favour of respondents/plaintiffs, that was upheld by the trial Court, this Court and also by Hon'ble Supreme Court.

(2) In an execution petition, the petitioner filed an objection that Shri Balswaroop Sharma, for whose bonafide need the suit was filed, has died and, therefore, the need has come to an end, which has been rejected by the Executing Court by the impugned order dated 23.6.2015, against which instant writ petition has been filed questioning the same.

(3) Counsel for the petitioner submits that impugned order is bad and unsustainable in law, which is liable to be set aside.

(4) None for the respondents, though served.

(5) Decree passed by the trial Court has been affirmed by this Court and also by Hon'ble Supreme Court. At the stage of execution, *bonafide* need based on subsequent event cannot be considered. Moreover, it is stated at the bar that suit premises has already been got vacated and the decree has been executed substantially.

(6) In view of above, I do not find any illegality in the order impugned warranting interference by this Court in the instant civil revision.

(7) Accordingly, the civil revision, being devoid of merit, is liable to be and is hereby dismissed.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-