

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1789 of 2018

- Pradeep Shukla S/o Shri Suresh Kumar Shukla Aged About 50 Years R/o Shailendra Saykal Stores Agrasen Chowk, In Front Of Astabal, Kharasiya Road Ambikapur District Sarguja Chhattisgarh.

---- Petitioner

Versus

- Girdhari Lal Agrawal S/o Shri Nathuram Agrawal Aged About 85 Years R/o Saykal Stores Agrasen Chowk In Front Of Astabal, Kharasiya Road, Ambikapur District Sarguja Chhattisgarh.

---- Respondent

For Petitioner : Shri RR Soni, Advocate.

**Hon'ble Shri Pritinker Diwaker &
Hon'ble Shri Gautam Chourdiya, JJ**

Order On Board By Justice Pritinker Diwaker

04/07/2018

Heard on admission.

02. The petitioner namely Pradeep Shukla is a tenant of respondent-Girdhari Lal Agrawal. In the eviction suit, the Rent Controlling Authority, Ambikapur passed an order on 23.9.2017 directing the petitioner to vacate the suit premises within 30 days and hand over possession of the suit premises to the respondent. This order was assailed by the petitioner before the Chhattisgarh Rent Controlling Tribunal, Raipur in appeal i.e. Appeal No.64/2017 and by the impugned order dated 13th April, 2018 the same has been dismissed.

03. Counsel for the petitioner submits that the Rent Controlling Authority has not properly appreciated the facts and evidence adduced; the mandatory provisions of the Act have not been followed, and that proper notice was not given to the petitioner. It has been

further argued that bonafide need of the respondent has not been proved before the competent authority.

04. We have gone through the order of the Rent Controlling Authority as also the impugned order of the Tribunal. From perusal of the same, it is evident that bonafide need of the respondent for getting possession of the suit premises has been duly considered by the Tribunal. The Rent Controlling Authority after considering all the evidence and the law governing the field has passed a well reasoned and detailed order, which has been subsequently affirmed by the Tribunal after considering all the facts and circumstances of the case including the pleadings raised by the parties and evidence adduced in support thereof. Both the authorities have also considered the fact that proper notice was issued to the petitioner and duly served upon him as required under the law. We find no good reason to interfere with the findings recorded by the Tribunal.

05. In the result, the instant petition being bereft of any substance is liable to be dismissed at the admission stage itself and is, accordingly, dismissed. The concerned authority to take action in accordance with law against the petitioner for vacating the premises in question.

Sd/

(Pritinker Diwaker)
Judge

Sd/

(Gautam Chourdiya)
Judge