

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

CIVIL REVISION PETITION NO.305 OF 2018

ORDER:

This Civil Revision Petition is filed by the petitioner who is a tenant and arises out of RCC.No.28 of 2013 on the file of the Rent Controller-cum-Principal Junior Civil Judge, Nellore, filed by the respondent herein.

The respondent filed R.C.C.No.12 of 2014 Under Section 10 (2) (i) (iv) and (vi) of A.P. Buildings (Lease, Rent and Eviction) Control Act, seeking eviction of the petitioner herein. The respondent/landlord wanted to construct ground and 1st floor after dismantling the makeshift front wall and zinc sheet roof and to set up business in the ground floor. Thus, the petition was filed on the ground of bonafide requirement of the premises for his own occupation as he is residing in a rented house. The petitioner/tenant occupied the premises on rent on 5.8.2003. Considering the oral and documentary evidence, the Rent Controller-cum-Principal Junior Civil Judge, Nellore allowed the petition and directed delivery of vacant possession to the respondent herein within two months, by order dated 10.7.2015. Against the same, the tenant preferred R.C.A.No.5 of 2015 before the Rent Control Appellate Authority-cum-Principal Senior Civil Judge, Nellore and he confirmed the order of the Rent Controller-cum-Principal Junior Civil Judge, Nellore, by his order dated 27.11.2017. Against the said

order of the Rent Control Appellate Authority-cum-Principal Senior Civil Judge, Nellore , the present Revision is filed.

When the matter is taken up for consideration, the petitioner herein is present in this Court and filed an affidavit stating that he is a small fruit vendor and he needs sufficient time for vacating the premises. The Landlord expressed his willingness to continue the tenant if a reasonable time is granted by this Court.

In the circumstances and also keeping in view the order passed by the Rent Controller-cum-Principal Junior Civil Judge, Nellore, the petitioner herein is directed to vacate the premises and hand over possession of the same to the respondent on or before 31.5.2017 on condition of paying the regular rent to the respondent. If the petitioner commits default of any monthly rent, it is open to the respondent herein to take up appropriate proceedings for eviction.

Civil Revision Petition is accordingly, disposed of.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

A. RAMALINGESWARA RAO,J

Date: 26.2.2018

KPM