

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

C.R.P. No.3007 of 2014

ORDER:

Aggrieved of the order, dated 27.07.2010, in R.C.No.196 of 2004 passed by the Principal Rent Controller, Secunderabad, the respondents therein preferred an appeal in R.A.No.321 of 2010 before the Chief Judge, City Small Causes Court, Hyderabad, and the said appeal was also ended in dismissal by judgment, dated 03.06.2014. Aggrieved of the concurrent findings of the Courts below ordering the eviction under Section 10 of the A.P. Buildings (Lease, Rent & Eviction) Control Act, 1960 (for short, 'the Act'), the revision petitioners filed the present Civil Revision Petition.

2. Heard both sides and perused the material on record.
3. The law is fairly settled by the Constitution Bench expression of the Apex Court in Hindustan Petroleum Corporation Ltd. V. Dilbahar Singh¹ that the Court while sitting in revision including under Section 22 of the Act cannot re-appreciate the facts, but for if at all shown any finding as the perverse and is unsustainable from any irregularity, impropriety or illegality to go into the facts to the limited extent in deciding correctness of the finding.

¹ (2014) 9 SCC 78

4. Having regard to the scope of revision and its limitation for this Court while sitting in revision and from perusal of the material on record after elaborate hearing including with reference to the grounds urged in the present Civil Revision Petition, there is nothing to interfere with the concurrent findings of the Courts below and hence, the Civil Revision Petition is disposed of confirming the same, however, by granting eleven (11) months time to the revision petitioners to vacate the schedule premises on or before 30.11.2018, which is subject to payment of use and occupation charges @ Rs.1,000/- (Rupees one thousand only) per month and subject to clearance of all arrears within three (3) months from today. If failed to vacate by that time or in the meantime by securing alternative accommodation by the revision petitioners, the revision respondents-landlords are entitled to evict without any further extension to the revision petitioners also from the oral undertaking in the course of hearing.

Accordingly, and in the result, the Civil Revision Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

Dr. B. SIVA SANKARA RAO, J

03.01.2018
MVA