

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CR No.3195 of 2017 (O&M)
Date of decision: 14.02.2018**

Surjit Singh

...Petitioner

Versus

Ravi Shankar

...Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Jaideep Verma, Advocate,
for the petitioner.

Ritu Bahri, J.

This petition has been filed against the judgment dated 30.03.2017 passed by the Appellate Authority, Ludhiana, dismissing the rent appeal filed by Surjit Singh-appellant (tenant) against the order dated 04.03.2015 passed by the Rent Controller, Jagraon, whereby petition filed by respondent-landlord under Section 13 of the East Punjab Urban Rent Restrict Act, 1949 (for short 'the Act') has been allowed and petitioner-tenant has been held liable to be ejected from the demised shop on the ground of personal necessity and arrears of payment of rent.

Ravi Shankar-landlord (respondent herein) had sought eviction of the petitioner on the ground of personal necessity and arrears of rent. As per pleading, he had retired from BSNL and was getting a meagre pension, which was not sufficient to maintain himself and his wife in the days of dearth. The eviction has been allowed keeping in view the consistent

judgments passed by this Court to the effect that the landlord is the best judge of his needs and the tenant cannot dictate his terms with regard to suitability of the accommodation. Reference was made to the judgments passed in Vijay Kumar vs. Rajeev Kumar Murria, 2012 (1) CCC 428 (P&H) and Mohd. Ayub vs. Mukesh Chand, 2012 (1) RCR (Rent) 46, wherein it has been observed that comparative hardship, if any, to the tenant can be mitigated by granting him long period to move out from the demised premises. It has been further observed that the landlord cannot be given a direction to do a particular business without getting eviction of a tenant.

Learned counsel for the petitioner has further informed that the tenant-petitioner has already evicted the demised shop.

After going through the impugned order/judgment(s), this Court is of the view that eviction order has rightly been passed in this case. No ground is made out to interfere in the impugned judgments.

Dismissed.

14.02.2018
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No