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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ RC.REV. 189/2017 & CM Nos. 15235-36/2017

DULI CHAND

..... Petitioner

Through: Mr. Pranay Jain & Mr. Ajay Singh,
Advs.

versus

SHARDA DEVI

..... Respondent

Through

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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19.03.2018

The petition at hand challenges the correctness, legality and propriety of the order dated 08.07.2016 passed by the Rent Controller on the file of eviction case (old E-40/14 – 478563/2016) instituted by the first respondent on 05.05.2014 whereby the application of the petitioner seeking leave to contest the case of the first respondent for his eviction from the suit premises on the ground of *bona fide* need under Section 14 (1) (e) of Delhi Rent Control Act, 1958 was dismissed and consequently an eviction order was passed.

It is not in dispute that the petitioner was inducted in the suit premises which is a shop admeasuring 24.8' x 12.3' forming part of the first floor of property no. 2656-57, Sushil Mohan Marg, Zere Fazil Road, Naya Bazar, Delhi, she being the owner-cum-landlady qua him and one Sushil Kumar who was also impleaded as second respondent but who did not appear to

contest. The first respondent (landlady) had sought the order of eviction on the ground that his younger son Himanshu Aggarwal, aged 30 years was unemployed and not very well qualified and she intended to settle him in business and, therefore, required the vacant possession of the premises in question.

The application for leave to contest was moved on the general submission that the landlady had not disclosed accommodation available to her and her family, reference in this context being made to property bearing no. 2656-57, Sushil Mohan Marg, Zera Fasil Road, Naya Bazar, Delhi. The landlady in reply denied that she owned the said other property explaining that she had already sold the other shops which were in her possession due to financial difficulties. The petitioner did not support his contention by any material. The rent controller referred to ruling of this Court in *Rajnder Kumar Sharma & Ors. vs. Smt. Leelawati & Ors.* 155 (2008) *Delhi Law Times* 383 and found no triable issues having been raised.

Even at the stage of revision petition, the petitioner has not come with any document worth the name showing any such other property vesting in the landlady. In these circumstances, the revision petition is found devoid of substance and, therefore, the same with pending applications are dismissed.

R.K.GAUBA, J

MARCH 19, 2018

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