

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 298 of 2019**

1. Munnalal Soni S/o Late Shri Jagannath Prasad Soni Aged About 72 Years R/o Infront Of Laxmi Sports, Khova Mandi Vali Gali Gondpara, Shubhash Nagar Bilaspur, P.S. City Kotwali, Bilaspur, Tahsil And, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Smt. Savitri Soni W/o Shri Munnalal Soni Aged About 65 Years R/o Infront Of Laxmi Sports, Khova Mandi Vali Gali Gondpara, Shubhash Nagar Bilaspur, P.S. City Kotwali, Bilaspur, Tahsil And, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Gaurav Soni S/o Shri Munnalal Soni Aged About 39 Years R/o Infront Of Laxmi Sports, Khova Mandi Vali Gali Gondpara, Shubhash Nagar Bilaspur, P.S. City Kotwali, Bilaspur, Tahsil And, District Bilaspur Chhattisgarh ---- **Petitioners**

Versus

1. Alok Kumar Saraf S/o Late Shri Gopinath Saraf Aged About 49 Years R/o Gondpara, Near Khova Mandi Bilaspur P.S. City Kotwali Bilaspur Tahsil And District Bilaspur Chhattisgarh.
2. Gopal Sharma S/o Shri Mukesh Sharma Vyavsayik Sansthan - Jay Maa Saraswati, Gopal Gopchen Tar Vale (Indore Vale) Khova Mandi Vali Gali Gondpara, Shubhash Nagar Bilaspur P.S. City Kotwali Bilaspur Tahsil And District Bilaspur Chhattisgarh
3. Rent Control Authority Bilaspur Through Superintendent, Rent Control Authority Bilaspur, District Bilaspur Chhattisgarh.
4. Chhattisgarh Rent Control Tribunal, Raipur Through Superintendent, Chhattisgarh Rent Control Tribunal, Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioner : Shri Suresh Kumar Pandey, Advocate

For Respondent-State : Shri Siddharth Dubey, Dy. A.G.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava**Hon'ble Smt. Justice Rajani Dubey****Order On Board****29/01/2019**

Heard

1. This petition, under Article 227 of the Constitution of India, is preferred against the order passed by the Rent Control Tribunal, whereby, the Tribunal has dismissed the appeal filed by the tenant.

2. The sole submission of learned Counsel for the petitioner is that the statutory notice required under clause 11G of Schedule-II of the Chhattisgarh Rent Control Act, 2011 is of 3 months but the notice was only for 2 months.

3. The Tribunal has taken a view that though the notice was for 2 months, the tenant waited till expiry of 3 months, then only approached the Rent Control Tribunal for getting the order of eviction.

4. The view taken by the Tribunal does not suffer from any jurisdictional illegality so as to warrant interference in exercise of jurisdiction under Article 227 of the Constitution of India. Therefore, the petition is dismissed.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Rajani Dubey)
Judge