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

Civil Revision No.6931 of 2019 (O&M)

Date of Decision: 02.11.2019

Vishwa Bhushan Bharti

..... Petitioner

Versus

Kailash Narain

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Rahul Sharma-I, Advocate,
for the petitioner.

SUDIP AHLUWALIA, J. (ORAL)

1. This revision petition is directed against the order dated 13.11.2018, passed by the Ld. Rent Controller, Chandigarh, whereby the petitioner has been order to be evicted from the demised premises as well as the order dated 05.08.2019, passed by the Ld. Appellate Authority, Chandigarh, vide which the order of Ld. Rent Controller has been affirmed.

2. It transpires that the respondent-Landlord was already 80 years old when the eviction application was filed by him on 23.03.2016.

3. The eviction order against the present petitioner-Tenant was passed by the Ld. Rent Controller on the ground of personal necessity of the applicant-Landlord, who had made out a case that after his retirement from Government Service in 1995, he wanted his grandson to shift over and settle down in Chandigarh so as to be remain by his side at that stage of his life.

4. Although, averments of the respondent were denied on behalf of the petitioner-Tenant, but perusal of his cross-examination as tendered by Ld. Counsel for the petitioner shows that no specific suggestion, to the

effect that his claim that he intended to call his grandson to shift over and start living with him is false, was put to the respondent. In such circumstances, the respondent's omission to get his grandson to depose directly to support his case cannot be faulted

5. In the overall circumstances, therefore, and particularly considering old age of the respondent-Landlord, this Court finds no ground to interfere with the impugned judgments.

6. Dismissed.

7. However, the petitioner is granted time till the end of April, 2020 to vacate the demised premises subject to payment of all outstanding dues, if any, along with current rent at the admitted rate within the 10th day of each month, during which period any execution proceedings against him shall remain stayed.

8. This order shall automatically stand vacated after 30.04.2020.

02.11.2019

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No