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

+ **RC.REV. 199/2016**

MASROOR AHMAD KHAN

..... Petitioner

Through Mr. B.S. Dhir, Ms. Akanksha Magon
and Ms. Reeya Singh, Advocates

versus

**DELHI PEASANTS COOP MULTIPURPOSE
SOCIETY LTD**

..... Respondent

Through Mr. Manoranjan, Advocate

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **22.01.2020**

1. Petitioner impugns order dated 19.12.2015 whereby eviction petition filed by the petitioner on the ground of bonafide necessity under Section 14 (1) (e) of the Delhi Rent Control Act, 1958 has been dismissed.
2. Subject eviction petition has been dismissed primarily on the ground that there was concealment and non-disclosure of alleged alternative premises.
3. Learned counsel for the petitioner submits that the premises were not disclosed as they were neither suitable nor alternative to the subject premises. He further submits that the need of the petitioner still subsists and since the need is ever changing, he seeks leave to withdraw the petition with liberty to file a fresh petition in accordance

with law.

4. It is, however, settled position of law that because the need is ever changing, landlord is not precluded from filing a fresh petition and showing to the Court that bonafide need exists as on the date of filing of the fresh petition.

5. In view of the above, the revision petition is dismissed as withdrawn with liberty to the petitioner in accordance with law.

6. It is clarified that in case petitioner files a fresh petition, the Rent Controller shall consider the same in accordance with law and assesses the bonafide necessity as on the date of filing of the fresh petition.

7. Order *dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

JANUARY 22, 2020
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