

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

**CR No.2614 of 2024
Date of Decision: 01.05.2024**

Modern Kheti Store and another

...Revisionists-Petitioners

Versus

Satpal Mishra and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. A.P.S. Sandhu, Advocate
 for the revisionists-petitioners.

MEENAKSHI I. MEHTA, J.

By way of the instant revision-petition, the petitioners-tenants (here-in-after to be referred as 'the tenants') have laid challenge to the order passed by learned Rent Controller, Amritsar on 19.04.2024 in ***Rent Petition No.57 of 2019*** titled as '***Satpal Mishra vs. Modern Kheti Store and others***', whereby the application (Annexure P-3), as moved by them and proforma-respondent No.2-tenant under Order 7 Rule 14 & Order 11 Rule 14 read with Section 151 CPC with the prayer to direct respondent No.1-landlord (here-in-after to be referred as 'the landlord') to produce the original sale-deed in respect of the property bearing No.2247/12, as located in Katra Sher Singh, Amritsar, in the Court and also to supply the copy thereof to them (tenants), has been dismissed.

2. I have heard learned counsel for the petitioners-tenants in the present revision-petition, at the preliminary stage and have also perused the file carefully.

3. Learned counsel for the tenants contends that the landlord has filed the above-said Rent Petition for seeking the eviction of the tenants from the demised premises, *inter-alia*, on the ground of *bona-fide* requirement of the same for his personal use and occupation whereas he has already been running his business in the afore-referred property and the tenants intend to falsify/negate the above-mentioned ground/plea by relying upon the afore-said sale-deed, so as to show that the above-detailed property is sufficient for him (landlord) to carry on his business in it but the Rent Controller has erroneously dismissed the afore-said application and in these circumstances, it becomes explicit that the impugned order is not legally sustainable and hence, the same is liable to be set-aside.

4. However, the above-raised contentions do not cut much ice with this Court because a bare perusal of the copy of the Rent Petition (Annexure P-1) reveals that the landlord has categorically averred in it that the afore-mentioned property, wherein he is, presently, carrying on his business, is situated in a street and it had been inherited by him and his siblings as well and his son named Nakul Mishra, who is 30 years old and is already married, has been assisting him (landlord) in his business and the demised premises are required for starting a separate business for him (son) therein. It being so, the sale-deed of the above-said property, wherein the landlord himself is running his business, cannot be construed to be of any relevance for adjudicating the issue pertaining to the afore-referred ground of eviction and hence, the tenants do not have any occasion to seek the issuance of direction to the landlord, as prayed for by them in application Annexure P-3.

5. As a sequel to the fore-going discussion, it follows that the impugned order does not suffer from any illegality, irregularity, infirmity or

perversity so as to call for any interference by this Court. Resultantly, the revision-petition in hand, being *sans* any merit, stands dismissed.

01.05.2024
neetu

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*
Whether Reportable: *No*