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**124 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR-1165-2025(O&M)

Date of decision:26.05.2025

Arvind

..Petitioner

Versus

Pawan Kumar through his LRs and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. G.C.Shahpuri, Advocate for the petitioner

ANIL KSHETARPAL, J. (Oral)

1. The petitioner (tenant) assails the correctness of the concurrent orders passed by the courts below while ordering his eviction on the ground of bonafide personal necessity of the landlord's married son and his family.

2. The landlord had two sons and both were married. One son has died and his family is residing with the landlord whereas the second son who is married is residing on the first floor with his family. The landlord filed petition for eviction of the tenant on the ground that the second married son alongwith his family wanted to reside separately due to family circumstances. Both the courts, upon appreciation of evidence, ordered eviction of the tenant.

3. Learned counsel representing the petitioner submits that the landlord is in possession of 400 sq. yards house and stairs for going to the first floor are separate. He further submits that petitioner



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no.2 (Amit Garg) is not likely to occupy the premises because the tenanted premises is of only 40 sq. yards.

4. This Court has considered the submissions made by the learned counsel representing the parties.

5. As is evident, the landlord is residing with his widowed daughter-in-law and children from elder son. He also claims that relationship between the family are not cordial with particularly with the family of younger son. In such circumstances, it will not be appropriate for this Court to doubt the genuineness of the requirement of the landlord.

6. Moreover, there is no material to prove that petitioner no.2 (respondent no.2 herein) is not likely to occupy the rented premises. Additionally, the scope of interference in a rent revision petition is limited in view of **Hindustan Petroleum Corporation Limited vs. Dilbahar Singh' (2014) 9 SCC 78.**

7. Keeping in view the aforesaid facts, no ground to interfere is made out.

8. Hence, dismissed.

9. All the pending miscellaneous applications, if any, are also disposed of.

(ANIL KSHETARPAL)
JUDGE

26.05.2025

rekha

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No