



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

CR-2385-2023 (O&M)

Date of decision : 26.03.2025

Satpal Singh Kalra (Deceased) through his LRs ...Petitioner

Vs.

**Rajinder Kumar (Deceased) through his LRs
and another ...Respondents**

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Piyush Kant Jain, Advocate
for the petitioner.

Mr. D.V. Sharma, Sr. Advocate with
Mr. Manbir Singh, Advocate
for the respondents.

ANIL KSHETARPAL, J. (Oral)

1. The petitioner herein is a tenant who has been ordered to be evicted concurrently by the Rent Controller which in appeal has been affirmed by the Appellate Authority.
2. The eviction of the petitioner has been ordered on the ground that the landlord's son requires the premises for his *bona fide* use.
3. Learned counsel representing the petitioner while referring to cross-examination of PW1 submits that the entire building is in the possession of the landlords and they have not disclosed the shops No. 95, 94, 95A in Akalgarh Market, Ludhiana.
4. This Court has considered the submissions made by the learned counsel representing the parties.



5. On reading of the deposition of PW1, it is evident that he has disclosed that shop No. 211 and shops No. 95, 94, 95A are connected with each other and not separate premises. While filing the petition, he has also disclosed that petitioner No.2 is occupying a shop No. 211 situated in Akalgarh Market, Ludhiana.

6. With regard to second submission, it would be noted that it is not the case of the petitioner that the petitioners are in possession of a shop which is vacant and they are not utilizing the same but seeking eviction of the tenant. The petitioners may be in possession of the entire building, however, that cannot be a ground to dismiss the ejectment petition. As per the legal requirement the *bona fide* of the landlord can only be doubted in a situation where he/she claims the tenanted premises despite having vacant possession of some similarly situated property without utilizing it.

7. Moreover, the scope of interference in a rent revision petition is extremely limited in view of judgment passed by the Five Judgment Bench of the Hon'ble Supreme Court in 'Hindustan Petroleum Corporation Ltd. vs. Dilbahar Singh', 2014(9) SCC 78.

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

9. Hence, the revision petition is dismissed.

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

26.03.2025
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(ANIL KSHETARPAL)
JUDGE

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