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

+ **RC.REV. 53/2020, CM APPL. 3124/2020, CM APPL. 42988/2021**

SUNITA TANDON

.....Petitioner

Through: Ms. Jyotika Kalra, Ms. Ayushi
Chugh and Mr. Vishal Baliya,
Adv.

versus

HARISH KUMAR SETHI & ORS

.....Respondents

Through: Mr. Jugal Wadhwa, Mr. Rishabh
Wadhwa, Mr. Raghav Goyal and
Mr. Vatsal S. Chadha, Adv. for
respondents.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER
23.12.2025

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1. This Court, after hearing argument for and behalf of both the parties at length on 04.12.2025, passed a speaking order, relevant extract whereof are as under:

“1. By virtue of the present petition, the petitioner/ tenant seeks setting aside of the order dated 19.11.2019 (impugned order), passed by the learned Additional Rent Controller, West District, Tis Hazari Courts, Delhi (learned ARC) in ARC No.286/2022 filed by the respondent no.1/ landlord under Section 14(1)(e) of the Delhi Rent Control Act, 1958 (DRC Act) seeking eviction of the premises being one shop situated on the Ground Floor of the property bearing No.H-31, Rajouri Garden, New Delhi (subject premises).



2. *Though the tenant has raised various grounds, however, learned counsel for the tenant has primarily argued qua the aspect of bona fide requirement urged by the landlord, who has since deceased, on his own account as also on account of his daughter who is running a Non-Governmental Organisation (NGO) by the name of 'Sahshakti' in the city of Agra, Uttar Pradesh, which does not have any operations within the precincts of Delhi.*

3. *Learned counsel for the tenant submits that since the said daughter of the landlord for whom the subject premises was stated to be required was, admittedly, already working as a Senior Consultant with the United Nations Children's Fund (UNICEF), which is evident from her linkedin profile as on date too, being employed elsewhere, she could not have any bona fide need of the subject premises.*

4. *Learned counsel lastly submits that the landlord had alternative accommodations available on the First and Second Floors of the very same building as the subject premises, qua which the landlord failed to place anything material on record to support his case. Since the same has not been considered by the learned ARC, in view the dicta of the Hon'ble Supreme Court in Mohd. Inam v. Sanjay Kumar Singhal & Ors. (2020) 7 SCR 64, she submits that the impugned order, suffering from errors of law, is liable to be set aside.*

5. *In response, learned counsel for the landlord, supporting the impugned order, submits that since the landlord was able to prove his case before the learned ARC, that too after a thorough trial, and all the three requisites conditions of Section 14(1)(e) of the DRC Act, i.e. landlord-tenant relationship, bona fide requirement and lack of any reasonably suitable alternative accommodation available with the landlord, were duly established, none of the arguments raised by learned*



counsel for the tenant before this Court hold any water, especially in the present revisional jurisdiction.

6. *Heard learned counsels for the parties and perused the documents and pleadings on record.*

7. *Prima facie, this Court is not convinced with the arguments addressed by learned counsel for the tenant.*

8. *As evident from paragraph 18(a) of the Eviction Petition filed by the landlord, it was his case that he required the subject premises for his daughter, who was running an NGO at Agra, Uttar Pradesh focused on helping women earn their livelihood by manufacturing handicrafts, and in order to promote the sales thereof, she requires a space in a metropolitan area, such as Delhi. The said NGO was not having a presence in Delhi, under such circumstances, was hardly enough to raise any doubts qua the genuine, honest, sincere requirement of the landlord for the subject premises leading to dismissal of the Eviction Petition.*

9. *Further, the daughter of the landlord being a Senior Consultant with the UNICEF could also not have precluded the landlord from filing the Eviction Petition seeking vacation of the subject premises, as the same is not contrary to the desire of the said daughter from supporting the needs of her NGO. In any event, as laid down in Raghunath G. Panhale (dead) through LRs vs. Chagan Lal Sundarji & Co. (1999) 8 SCC 1, a landlord seeking eviction cannot be expected to sit ideal during the pendency of the eviction proceedings initiated by him. Accordingly, this Court does not see any infirmities in the findings of the learned ARC qua the aspect of bona fide requirement of the landlord.*

10. *Regarding the availability of alternative accommodations, a perusal of the record shows that*



despite a full-fledged trial, the tenant was not able to place anything on record to substantiate that there were any such accommodations available with the landlord. What was canvassed by the tenant before the learned ARC were nothing but mere bald assertions. In any event, as held in Baldev Singh Bajwa vs. Monish Saini 2005 (12) SCC 778, it is well settled that the landlord has every right to consider all relevant factors and choose the most suitable accommodation to carry out his requirement, and the tenant has no right to dictate the terms of which property should be occupied by the landlord, especially by making mere unsubstantiated statements. Even otherwise, admittedly, since the alleged alternative accommodations were not on the same floor as the subject premises, they could hardly be referred as being a substitute thereto.

11. In view of the aforesaid, this Court finds that the tenant has been unable to urge any contention calling for any adjudication. In any event, this Court is dealing with a very well-reasoned and detailed impugned order wherein the learned ARC has taken into consideration each and every aspect required for deciding an Eviction Petition under Section 14(1)(e) of the DRC Act, including all the contentions raised by learned counsel for the tenant. As such, reliance upon Mohd. Inam (supra) by learned counsel for the tenant is misplaced.

12. This Court is in agreement with the findings rendered by the learned ARC. Consequently, as held in Sarla Ahuja vs. United India Insurance Co. Ltd. (1998) 8 SCC 119, Abid-Ul-Islam vs. Inder Sain Dua (2022) 6 SCC 30, there is no reason for this Court to interfere with the impugned order, especially in revisional jurisdiction, where the Court is only exercising a supervisory role and is not to substitute its findings for those of the learned ARC.

13. In view of the aforesaid, the present petition is liable to be dismissed.



14. In light of the afore-going, learned counsel for the tenant, at this stage, seeks, and is granted, a period of two weeks to seek instructions qua the feasible time period within which the tenant would vacate the subject premises and hand over peaceful physical possession thereof to the landlord, along with the terms of payment qua user and occupation charges for the concerned period.”

2. As such, there is nothing left to be heard in the present matter, and the same is listed today only for the tenant to obtain appropriate instructions.

3. Today, learned counsel for the tenant submits that he has no instructions *qua* vacation of the subject premises as also for payment of the user and occupation charges for the concerned period.

4. In view thereof, the present revision petition is dismissed and the impugned order dated 19.11.2019 upheld in view of the categorical findings rendered by this Court earlier on 04.12.2025, as reproduced hereinabove.

5. The present petition, alongwith the pending application, is thus dismissed.

6. Considering that the statutory period of six months as envisaged under *Section 14 (7)* of the Delhi Rent Control Act, 1958 is long over, the tenant shall vacate the subject premises and handover the peaceful and physical possession thereof to the landlord in compliance with the impugned order dated 19.11.2019.

SAURABH BANERJEE, J.

DECEMBER 23, 2025/bh