



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

(117)

CR-298-2026 (O&M)
Date of Decision:-**12.02.2026**

JOGINDER SINGH

... Petitioner

Versus

RANJIT KAUR

... Respondent

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Vishal Thakur, Advocate
for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. The present revision petition has been instituted by the petitioner/respondent assailing the order dated 05.11.2022 passed by the learned Rent Controller and the order dated 08.10.2025 rendered by the learned Appellate Authority, whereby the ejectment petition filed by the respondent/petitioner was allowed and the petitioner/respondent was directed to hand over vacant possession of the demised shop on the ground of bona fide personal necessity.

2. Briefly stated, the respondent/petitioner instituted a petition under Section 13 of the Punjab Urban Rent Restriction Act, 1949 seeking ejectment of the petitioner/respondent from the demised shop. It was pleaded that the respondents were inducted as tenants at a monthly rent of ₹1,700/- and had fallen into arrears of rent with effect from 01.05.2023. It was further averred that the demised premises were required for the bona



fide personal necessity of the respondent/petitioner, as she, along with her daughter, intended to commence and run a boutique business therein. It was specifically asserted that she was neither occupying any other non-residential building nor had vacated any such premises within the urban area of Jalandhar since the enforcement of the East Punjab Urban Rent Restriction Act.

3. The petitioner/respondent contested the ejectment petition, inter alia, on the plea that the rent had been paid up to date and that no arrears were outstanding. The claim of bona fide personal necessity was also disputed, it being alleged that the respondent/petitioner was in possession of several other commercial properties and, therefore, had no genuine requirement of the demised premises.

4. Subsequently, the petitioner filed a replication, wherein the pleas and objections raised in the written statement were specifically traversed and denied, and the averments contained in the ejectment petition were duly reaffirmed and reiterated.

4.1. Upon a careful and comprehensive consideration of the pleadings of the parties and the rival assertions advanced therein, the learned Rent Controller, for the purpose of delineating the real points in controversy and facilitating an orderly adjudication, proceeded to frame the following issues for determination:-

1. Whether the petitioner is in the arrears of rent?OPP
2. Whether the disputed premises is required to the petitioner for his *bona fide* necessity?OPP
3. Whether the present petition of the petitioner is not maintainable? OPR
4. Whether the petitioner has concealed the material facts from the court?OPR
5. Relief.



5. Pursuant to the framing of issues, both parties were afforded full and adequate opportunity to adduce evidence in support of their respective stands. Upon an overall appreciation of the pleadings and the evidence brought on record, the ejectment petition was allowed and the appeal was dismissed.

5.1 Aggrieved by the orders so passed, the present revision petition has been instituted, assailing the findings recorded by the learned Rent Authorities primarily on the ground that both the Courts below have failed to properly consider the alleged availability of another shop with the petitioner and the effect thereof on the claim of bona fide necessity.

5.2 I have heard learned counsel for the petitioner at length and have minutely perused the record of the case.

6. A perusal of the impugned judgment reveals that the learned Appellate Authority has duly considered the pleadings and the evidence adduced by the parties. In her cross-examination, the petitioner admitted that four shops had been owned by her and constructed portion above the shop in question measuring 20 feet $\times$ 20 feet, was lying vacant. While the existence of other shops was not disputed, it was categorically explained that the remaining shops were already let out to other tenants. Landlord cannot be compelled to occupy portion lying with her on first floor. The petitioner/respondent has failed to establish, through cogent evidence, that any material fact was concealed or that the respondent/petitioner was in possession of any other reasonably suitable and vacant commercial premises which had not been disclosed in the ejectment petition.



7. It is trite that neither the tenant nor the learned Rent Controller can dictate to the landlord as to the suitability of alternative accommodation. The premises alleged to be available is situated on the first floor, whereas evidence on record demonstrates that the demised shop is commercially more advantageous and suitable for running a boutique business. The comparative suitability of the demised premises, in terms of location and commercial viability, stands duly established.

8. It is a settled proposition of law that the landlord is the best judge of his or her bona fide requirement. The tenant or the Rent Controller cannot compel the landlord to adjust in an alternative premises or to reorganize her affairs in a manner suggested by the tenant.

9. In the facts and circumstances of the present case, the evidence on record sufficiently establishes the bona fide personal requirement of the respondent/petitioner. No illegality, material irregularity, or perversity can be discerned in the concurrent findings so recorded by the learned Rent Authorities so as to warrant interference in revisional jurisdiction. Consequently, the present revision petition is dismissed.

10. As a necessary corollary to the dismissal of the main petition, all pending miscellaneous applications, if any, shall also stand disposed of. No further orders are called for in that regard.

12.02.2026
Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No