

# Mehanga Ram (D) Thr. Lrs.. vs Sagar Chand (D) Thr.Lrs. on 14 January, 2020

**Bench: R. Banumathi, A.S. Bopanna, Hrishikesh Roy**

1

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 5288-5289 OF 2010

MEHANGA RAM (D) THROUGH LRS.

...AP

VERSUS

SAGAR CHAND (D) THROUGH LRS.

...RE

## O R D E R

1. The appellants are before this Court assailing the orders dated 28.04.2009 and 27.05.2009 passed by the High Court of Punjab and Haryana at Chandigarh in C.R. No. 2941 of 1991 and C.M. 10939-CII of 2009 in C.R.No. 2941 of 1991.

2. The facts are not in dispute. The appellants herein are the tenants under the respondents. The respondents claiming that the appellants had sub-let the premises and defaulted in payment of rent had initiated the ejectment proceedings against the appellants. The appellants no doubt disputed the same.

3. The Rent Controller dismissed the rent application vide order dated 31.01.1989. The Appellate Authority allowed the appeal and ordered eviction of the appellants herein. The matter was thereafter considered by the High Court. The High Court having taken note of the rival contentions has dismissed the revision petition. Against the said order, the appellants are before this Court.

4. We have heard learned counsel appearing on behalf of the appellants as well as learned counsel appearing on behalf of the respondents and perused the appeal papers.

5. Having taken into consideration the fact that the Appellate Authority as well as the High Court while considering the revision petition had adverted to the rival contentions, keeping in view the available records has arrived at the conclusion, we see no reason to interfere with the well considered order passed by the High Court.

6. Learned counsel appearing for the appellants at this stage submits that if this Court is not inclined to allow the appeal, the appellants be granted reasonable time to vacate the premises.

7. Learned counsel for the respondents would submit that the appellants have been in occupation of the premises from the year 1956 and in addition to the violation of the conditions, the premises in any event is required by the respondents for their bona fide use. Therefore, keeping in view all these aspects of the matter, we grant six months' time to the appellants from today to vacate and hand over peaceful possession of the premises to respondents subject to filing usual undertaking before this Court within a period of four weeks.

8. The appeals are, accordingly, dismissed.

... .. J . [ R . B A N U M A T H I ]  
... .. J . [ A . S . B O P A N N A ] N E W D E L H I  
.....J. JANUARY 14, 2020 [ HRISHIKESH ROY] ITEM NO.105  
COURT NO.5 SECTION IV S U P R E M E C O U R T O F I N D I A RECORD OF PROCEEDINGS  
Civil Appeal No(s). 5288-5289/2010 MEHANGA RAM (D) THR. LRS.. Appellant(s) VERSUS  
SAGAR CHAND (D) THR.LRS. Respondent(s) Date : 14-01-2020 These appeals were called on for  
hearing today. CORAM :

HON'BLE MRS. JUSTICE R. BANUMATHI HON'BLE MR. JUSTICE A.S. BOPANNA  
HON'BLE MR. JUSTICE HRISHIKESH ROY For Appellant(s) Mr. Rohit  
Sharma,Adv.

Mr. Rounak Nayak,Adv.

Mr. Kumar Dushyant Singh, AOR For Respondent(s) Mr. Ankit Swarup,Adv.

Mr. Jawad Tariq,Adv.

Mr. Rohit Kumar Singh, AOR UPON hearing the counsel the Court made the  
following O R D E R The appeals are dismissed in terms of the signed order. Pending  
application(s), if any, shall also stand disposed of.

(MADHU BALA)  
COURT MASTER (SH)  
(Signed order is placed on the file)

(BEENA JOLLY)  
BRANCH OFFICER