

Supreme Court of India

Durga Dass And Anr. vs Inder Kumar Jain And Ors. on 2 May, 1989

Equivalent citations: AIR 1989 SC 1524, JT 1989 (2) SC 588, 1989 (1) SCALE 1570, (1989) 3 SCC 239

Author: R Misra

Bench: M Venkatachaliah, R Misra

JUDGMENT Ranganath Misra, J.

1. These two appeals are by special leave and are directed against the reversing order of the High Court of Punjab & Haryana made in two connected civil revisions granting eviction from two shop-rooms located at Hoshiarpur.
2. The ground for eviction was subletting and relying upon the evidence placed on record, particularly that of Ram Lal, son of Durga Dass who was the tenant, the Controller and the Controller and the Appellant Authority had found that there was subletting. It is not necessary to refer to the evidence as counsel for the landlord-respondent on the suggestion of the Court and after obtaining instructions from the respondent has agreed to accept Ram Lal as the sole tenant of the two shop-rooms. Parties have agreed that the per room shall be @ Rs. 200 per month. We direct that rent at this rate shall be payable from 1.1.1988. The rent due upto 30.4.1989 @ Rs. 200 per month per room shall be paid by the appellant on before 30.6.1989 after deducting such payments as may have been made at the old rate. Rent for the month of April shall be paid @ Rs. 200 per room by 7th of May, 1989 and rent for every succeeding month shall be paid by the 7th of the subsequent month.
3. Counsel for Ram Lal has stated to us that there would be no further default in the matter of payment of rent as now directed.
4. The appeals are allowed, the order of eviction passed by the High Court is set aside and the appeals are disposed of with the directions stated above. Parties shall bear their own costs throughout.