

Supreme Court of India

Rattan Lal vs Asha Rani on 7 September, 1987

Equivalent citations: JT 1988 (4) SC 83, (1988) 3 SCC 586

Author: R Misra

Bench: M M Dutt, R Mishra

ORDER Ranganath Misra, J.

1. Special leave granted.
2. Heard learned Counsel for the parties. We see no justification for the direction for eviction on the ground that there has been a change of user. The initial purpose was to run a grocery shop. The same tenant instead of using it for grocery shop has been running a book-shop therein. This could not afford a valid ground for ordering eviction.
3. We suggested to learned Counsel of the parties that the tenancy may continue but the rent may be enhanced. We have heard them on that score and are of the view that the monthly rent should be enhanced to Rs. 500 from October 1, 1987. Whatever rent is in deposit will be withdrawn by the respondent-landlord. Counsel for the appellant has assured us that the appellant would keep paying rent in future in time.
4. The appeal is disposed of accordingly. No costs.