
(2014) 07 AHC CK 0239
In the Allahabad High Court
Case No : S.C.C. Revision No. 280 of 2014

Central Bank of India

APPELLANT

Vs

Sardar Devendra Singh Oberai

RESPONDENT

Date of Decision : 07-07-2014

Acts Referred:

Citation : (2014) 106 ALR 388

Hon'ble Judges : Shashi Kant Gupta, J

Bench : Single Bench

Advocate : K.R. Singh Jadaun, Advocate for the Appellant; Abu Bakht, Advocate for the Respondent

Judgement

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Shashi Kant Gupta, J.—This revision is directed against the judgment and decree dated 30.4.2014 passed by the Judge, Small Cause Court/Additional District Judge, Court No. 15, Meerut in S.C.C. Suit No. 7 of 2011, Sardar Devendra Singh Oberai v. Central Bank of India and another, whereby the suit of the landlord-opposite parties for eviction and arrears of rent has been decreed and a direction has been issued for recovery of arrears of rent. Heard Sri K.R. Singh Jadaun, learned Counsel for the revisionists, and Sri P.K. Jain, learned Senior Advocate, assisted by Sri Abu Bakht, learned Counsel for the opposite parties.

2. Learned Counsel for the revisionists has not been able to pin point any illegality or infirmity in the impugned order.

3. Sri P.K. Jain, learned Senior Counsel appearing for the opposite parties, has supported the impugned order and placed reliance upon the judgment and order passed by this Court in case of Union of India and another v. Smt. Suman Gupta and others 2004 (1) ARC 330.

4. A perusal of the record shows that the Court below has given cogent, convincing and satisfactory reasons while passing the impugned order. Reasons

mentioned therein are good enough to satisfy the impugned order and no fault can be found with the approach adopted by the Court below.

5. In view of the above, there is no ground to interfere in the matter. Thus, the revision is liable to be dismissed. Accordingly, it is dismissed.

6. After the judgment was dictated, learned Counsel for the revisionists urged that at least two years' time may be granted to the revisionists for vacating the premises in question. He further stated that in similar matter this Court in SCC Revision No. 196 of 2014 has granted 18 months' time to the revisionists-Central Bank of India for vacating the premises. Considering the facts and circumstances of the case, 18 months' time (upto 1st March, 2016) is granted to the tenant-revisionists to vacate the premises in question subject to the following conditions:

(1) The bank-revisionists shall file an undertaking within six weeks from today before the Court below stating therein that:

(a) the bank-revisionists shall handover peaceful possession of the premises in question to the landlord on or before 1st March, 2016;

(b) the bank-revisionists shall not create any third party interest in the premises in question;

(2) the bank-revisionists shall pay the rent @ Rs. 16,000/- per month w.e.f. July, 2014 onward towards rent/damages to the landlord regularly for use and occupation of the premises in dispute by 7th of each succeeding month through money order after deducting money order charges.

(3) The bank shall deposit the entire decretal amount within one month from today.

(4) In case of default to comply with any of the conditions mentioned above, the protection granted to the bank-revisionists shall stand vacated automatically.

It is made clear that the rent/damages has been fixed @ Rs. 16000/- with the consent of the learned Counsel for the revisionists.