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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ RC.REV. 506/2012, CM APPL. 17482/2012, CM APPL.
74010/2024

TEJENDER SINGH

.....Petitioner

Through: Ms. Kirti Mewar and Ms. Kriti
Sharma, Advs.

versus

USHA RANI & ANR

....Respondents

Through: Mr. Raghu Vasishth, Adv. for R-
1(b)

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER
01.12.2025

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1. *Primarily*, it is the case of learned counsel for the tenant that the learned ARC has failed to take this into account that the landlords have various *alternative accommodations* available with them in the impugned order dated 10.07.2012, and further that there was no *bona fide requirement* of the subject premises by the landlords. For this, she relies upon ***Vinay Kumar Verma and Another vs. Harjit Singh Shah: (2023) 5 High Court Cases (Del) 774*** and ***Naveen Kumar vs. Rekha Sharma: 2025 SCC Online Del 2831***.

2. Barring the aforesaid, learned counsel for the tenant has not made any other arguments, especially *qua* the existence of *landlord-tenant relationship* between the parties. Therefore, the findings rendered by the learned ARC in the impugned order *qua* the above are taken as final,



conclusive and established.

3. Learned counsel for respondent no.1(b) on the other hand, submits that the learned ARC has dealt with all the contentions raised by the tenant before deciding the same with due and proper explanations, which do not require any kind of interference by this Court.

4. Learned counsel for the petitioner has concluded her arguments.

5. *Qua* the aspect of *alternative accommodations* available with the landlords, a perusal of record reveals that, apart from making bare assertion that the landlords were in possession of other properties, the tenant has failed to place anything of credence before the learned ARC to substantiate that the landlords owned any other properties barring the properties mentioned in the petition. In fact, the same was rightly recorded by the learned ARC as under:

“...It is reflected from the careful perusal of the record that respondents have not come with concrete proof to show prima facie that petitioners are having other properties apart from the properties so mentioned in their petition”

6. In view of the aforesaid as also since nothing new has been canvassed by the petitioner before this court, the findings of the learned ARC in the impugned order *qua* the aspect of *alternative accommodations* available with the landlords does not need any interference by this Court.

7. Regarding the aspect of *bona fide requirement* of the subject premises by the landlords, the documents on record as also that before the learned ARC reveals that the landlords were able to sufficiently establish their genuine, honest and plausible need for the subject premises. In fact, the learned ARC has also elaborately dealt with the said contention in the impugned order.



8. In view thereof, this Court finds no reason to doubt the genuineness of such requirement. As such, the landlords were able to establish the *bona fide requirement* of the subject premises.

9. The judgment of **Vinay Kumar** (*supra*) cannot come to the aid of the tenant since it is inapplicable to the facts and circumstances of the present case inasmuch as that was a case wherein the Court was dealing with patent contradictions with regard to various factors, which are missing/ of not much magnitude in the present case. Similarly, the tenant cannot derive any assistance from the judgment of **Naveen Kumar** (*supra*) as well, since the Court therein was dealing with a case wherein the landlord had failed to disclose the availability of *alternate accommodation* either in the Eviction Petition or in the reply to the leave to defend. *Conversely*, as noted hereinabove, there was no such concealment by the landlord herein before the learned ARC.

10. Lastly, in view of the judicial pronouncements in **Sarla Ahuja vs. Union India Insurance Company Ltd.:** (1998) 8 SCC 119; **Abid-Ul-Islam vs. Inder Sain Dua:** (2022) 6 SCC 30; and **Kuldeep Singh v. Sanjay Aggarwal:** MANU/DE/1513/2018, it is now well settled that in a revision petition under *Section 25B(8)* of the DRC Act, the challenge by a party for setting aside the impugned order/ judgment is only possible under exceptional circumstances like there exists an error apparent on the face of the record, or there is something glaringly amiss, or there is anything contrary to the position of law.

11. As such, this Court finds no reason to interfere with the impugned order dated 10.07.2012.

12. However, at this stage, without prejudice to the rights and



contentions of the tenant and as a matter of abundant caution, learned counsel for the tenant seeks, and is granted, a period of *four weeks* to seek instructions *qua* the feasible time period within which the tenant would vacate the subject premises and hand over the possession thereof to the landlord, along with the terms of payment *qua* user and occupation charges for the concerned period.

13. In the meanwhile, learned counsel appearing for the respondent no.1(b) will also revert with appropriate instructions after discussing with the respondent no.2 and/ or his counsel.

14. Renotify on 06.02.2026.

SAURABH BANERJEE, J.

DECEMBER 01, 2025/Ab