

ITEM NO.10

COURT NO.5

SECTION XI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 24041/2013

(Arising out of impugned final judgment and order dated 31-01-2013 in CR No. 175/2001 passed by the High Court of Judicature At Allahabad)

PRAKASH BHALOTIA

Petitioner(s)

VERSUS

INDRA CHANDRA GOYAL (D) THRU.LRS

Respondent(s)

Date : 18-09-2018 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Mr. J.P. Cama, Sr. Adv.
Mr. Anukul Raj, Adv.
Mr. Rahul Shukla, Adv.
Ms. Nikita Raj, Adv.
Ms. Dipti Gupta, Adv.
Mr. Kumar Dushyant Singh, AOR

For Respondent(s) Mr. Jayant K. Sud, Adv.
Mr. Anupam Mishra, AOR
Mr. Harikumar V., Adv.

UPON hearing the counsel the Court made the following
O R D E R

Mr. J.P. Kama, learned senior counsel for the petitioner has referred to the judgment of the Division Bench of this Court in Syed Sughra Zaidi vs. Laeeq Ahmad (D) thr. Lrs. and Ors., 2018 (2) SCC 21, decided on 6.12.2017. In this judgment, the Division Bench has held that if the period of tenancy has expired by efflux of time and there is no renewal thereof, landlord can sue the tenant for ejection.

Mr. Jayant K. Sud, learned senior counsel appearing for the respondents, submits that when the tenant is protected by the U.P.

Urban Buildings (Regulation of Letting, Rent and Eviction) Act, 1972, the aforesaid proposition would not apply. He has drawn our attention to Section 20 of the said Act as per which tenant can be evicted only on the grounds specified in the said section. He submits that even if the contractual tenancy comes to an end, the tenant still enjoys the protection of the Act and, therefore, would be treated as statutory tenant.

Arguments on this aspect have been heard for some time. Learned counsel for the parties seek a short adjournment to address further arguments.

List after two weeks.

The respondents shall also file an affidavit within one week giving details of the payments of rent which are deposited by them.

(SUSHIL KUMAR RAKHEJA)
AR-CUM-PS

(RAJINDER KAUR)
BRANCH OFFICER