

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

RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 7403 OF 2000

P.RAMACHANDER RAO

Appellant (s)

VERSUS

K.DAYANAND

Respondent(s)

(With appln. for placing on record further documents and office report )

Date: 28/09/2005 This Appeal was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE AR. LAKSHMANAN

HON'BLE MR. JUSTICE ALTAMAS KABIR

For Appellant(s)

Mr. Anil Kumar Tandale,Adv.

For Respondent(s)

Mr. B Sridhar, adv.

Mr. K. Ram Kumar,Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel on both sides.

The High Court is

The appeal stands dismissed and the order of

affirmed. No costs.

Om Prakash ]

[ Charanjeet Kaur ]

[

Court Master

Court Master

C

[ Signed order is placed on the file ]

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7403 OF 2000

P Ramachander Rao ..  
Appellant(s)

Versus

K. Dayanand ..  
Respondent(s)

O R D E R

Heard learned counsel on both sides.

This appeal is directed against the order passed by the High Court of Andhra

Pradesh in Civil Revision Petition No. 2585 of 1997. This appeal is filed by the landlord who

filed the Eviction Petition against the respondent herein on several grounds.

Before us, learned counsel for the appellant argued only the ground of bona fide

requirement for the purpose of his sons business of running a tailoring shop. It is a matter of

record that after the filing of the Eviction Petition, the landlord has constructed two mulgis in

his building at Ramkot. This is also reflected in his evidence as P.W. 1. The landlord has

stated that he wants to use these mulgis for himself i.e. for the purpose of tailoring businesses of

his sons, namely, Naresh Kumar and Srinivas. In view of the categorical statement made by

P.W. 1 that the landlord owns two other mulgis, the claim made by the landlord in this appeal

cannot at all be countenanced. Moreover, the

learned Single Judge of the High Court while arriving at a conclusion has placed reliance on a decision of the Full Bench in the case of Vidya Bai & Anr. Vs. Shankerlal & Anr. reported in AIR 1988 A.P. 184. It is now stated that the said decision is approved by this Court in the case of D. Devaji vs. K Sudarashana Rao reported in 1994 Supp. (1) SCC 729. We do not, therefore, find any merit in this appeal.

Accordingly, appeal stands dismissed and the order of the High Court is affirmed.

No costs.

.....J[ Dr.

AR.LAKSHMANAN ]

.....J [ ALTAMAS

KABIR ]

NEW DELHI,

SEPTEMBER 28, 2005.