

ITEM NO.7

COURT NO.6

SECTION XIIA

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 (Civil) No(s).30718-30719/2008

(From the judgement and order dated 10/04/2008 in CRP No.414/2007 , CRP No.517/2007 of The HIGH COURT OF A.P AT HYDERABAD)

MOHD.ABDUL RAHMAN & ORS.

Petitioner(s)

VERSUS

B.MANORAMA & ANR.

Respondent(s)

(With prayer for interim relief and office report)
(For Final Disposal)

Date: 14/12/2011 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Mr. Ranjan Mukherjee, Adv.

For Respondent(s) Mr. K.Rajendra Chowdhary, Sr. Adv.
Mr. Rakesh K. Sharma,A.O.R.

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

These petitions are directed against order dated 10.4.2008 passed by the learned Single Judge of the Andhra Pradesh High Court, whereby he dismissed the revisions filed by the petitioners under Section 22 of the Andhra Pradesh Buildings (Lease, Rent and Eviction) Control Act, 1960 and confirmed the order passed by the

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Appellate Authority-cum-Additional Chief Judge, City Small Causes Court who had reversed the order of eviction passed by the Rent Controller.

We have heard learned counsel for the parties for some time and perused the record.

In our view, the negative finding recorded by the Appellate Authority on the issue of bonafide

requirement of the petitioners was based on correct analysis of the pleadings of the parties and evaluation of the evidence produced by them. The learned single Judge of the High Court independently considered the entire matter, took cognizance of the fact that the tenant had already handed over possession of the two mulgis and held that the requirement of the petitioners was not bonafide.

In our view, the impugned order as also the one passed by the Appellate Authority do not suffer from any legal infirmity warranting interference under Article 136 of the Constitution.

The special leave petitions are accordingly dismissed.

(Parveen Kr. Chawla)
Court Master

(Phoolan Wati Arora)
Court Master