



4. Aggrieved by the order passed by the Rent Controller, the respondent-tenant filed an appeal before the Appellate Authority, Chandigarh. By its Judgment dated 3.6.2003, the Appellate Authority set aside the order passed by the Rent Controller. Reversing the finding of the Rent Controller, the Appellate Authority held that the landlady was not entitled for ejectment of the tenant from the demised premises on the ground of personal necessity.

5. The appellant-landlady filed a civil revision  
3  
before the High Court of Punjab and Haryana at Chandigarh. The High Court upheld the judgment of the Appellate Authority and dismissed the revision. The appellant is, thus, before this Court challenging the judgment and order passed by the High Court.

6. We have heard the learned counsel for the parties and have perused the impugned judgment as also the judgments of the Courts below.

7. In the facts and circumstances of this case, we are of the considered view that the Appellate Authority committed serious error in reversing the finding of bona fide personal necessity arrived at by the Rent Controller on the basis of cogent evidence on record. Consequently, the impugned judgment and order of the High Court affirming the judgment of the Appellate Authority cannot be sustained.



For Petitioner(s) Mr. P.S. Patwalia, Sr. Adv.  
Mr. Aman Preet Singh Rahi, Adv.  
Mr. Ashok K. Mahajan, Adv.

For Respondent(s) Mr. V.K. Jhanji, Sr. Adv.  
Ms. Jyoti Mendiratta, Adv.

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

Leave granted.

Heard the learned counsel for the parties. The impugned judgment of the High Court as also the judgment of the Appellate Authority are set aside, the order passed by the Rent Controller is restored and the appeal is allowed in terms of the signed order. The parties are directed to bear their respective costs.

-2-

6

However, two years' time is granted to the respondent to vacate the demised premises upon filing usual undertaking in the Registry of this Court within four weeks from today.

(A.S. BISHT)  
COURT MASTER

(KUSUM GULATI)  
COURT MASTER

(Signed order is placed on the file)