

**(Equivalent Citation:- 2013(4) AD(Delhi) 369, 2013(1) RLR 581)**

**199 (2013) DELHI LAW TIMES 321**

**DELHI HIGH COURT**

***Veena Birbal, J.***

**GITA GUPTA—Petitioner**

***versus***

**KAILASH CHAND DHINGRA—Respondent**

***RC. Rev. 581 of 2012—Decided on 2.4.2013***

**Delhi Rent Control Act, 1958 — Sections 14(1)(e), 25B(8) — Leave to defend — *Bonafide* requirement of landlord and default in payment of rent — Eviction petition under Section 14(1)(e) can be filed for commercial as well as residential accommodation — Size of family of the respondent has not been challenged — Premises in question has been *bonafidely* required by respondent for himself and for his family members as he has no other reasonable suitable accommodation — Respondent and his wife both are qualified persons and it cannot be said that retired person cannot start business — Even if respondent is an aged person, same does not mean he cannot run a shop — *Bonafide* requirement of respondent/landlord is much more as compared to tenanted premises — All requirements stated by respondent/landlord are his *bonafide* requirements — Landlord is best judge of his requirement for residential or business purpose and he has got complete freedom in the matter — By not stating about pension in petition, same does not amount to concealment in any manner — Petitioner/tenant has failed to raise any triable issue — Leave to defend cannot be granted in a routine or mechanical manner — No infirmity in impugned order of eviction.**

**[\[Paras 12 to 18\]](#)**

***Result : Revision Petition dismissed.***

**Cases referred:**

1. *Deena Nath v. Pooran Lal*, [V \(2001\) SLT 195](#). (*Distinguished*) [\[Para 8\]](#)

2. *Precision Steel & Engineering Works & Another v. Prem Devi Niranjan Deva Tayal*, [22 \(1982\) DLT 458 \(SC\)](#). (*Relied*) [\[Para 16\]](#)

**Counsel for the Parties:**

For the Petitioner : **Mr. R.M. Sinha**, Advocate.

For the Respondent : **Mr. Ganesh Kumar Sharma**, Advocate.