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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of decision: 20.11.2026

\# **CNR No. DLHC010983232010**

\+ RC.REV. 431/2026

RAFIQUE AHMAD AND ORS .....Petitioners
Through: Appearance not given

versus

MOHD. HAROON .....Respondent
Through: Mr. R.Y Kalia, Advocate

CORAM:
HON'BLE MR. JUSTICE HARISH VAIDYANATHAN SHANKAR

% JUDGEMENT (ORAL)

CM APPL. 79599/2026 (Ex.)

1. Allowed, subject to all just exceptions.

2. The applications stand disposed of.

RC.REV. 431/2026 & CM APPL. 79598/2026 (Stay)

3. The present Revision Petition has been filed under Section 25-B (8) of the Delhi Rent Control Act, 1958 ["**DRC Act**"] read with Section 151 of the Code of Civil Procedure, 1908 ["**CPC**"], seeking to assail the Judgment dated 19.05.2026 ["**Impugned Judgment**"], by which the Application seeking leave to defend was dismissed and the Petitioners were directed to be evicted from the subject premises.

4. Learned counsel appearing on behalf of the Petitioners assails the Impugned Judgment on three limited grounds. *Firstly*, it is

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contended that the Respondent has failed to establish any *bona fide* requirement of the subject premises. *Secondly*, it is submitted that the Respondent has sufficient alternative accommodation available to him, which aspect, according to the Petitioners, has not been properly appreciated by the learned ARC. In support of these two challenges, the Petitioner re-iterates the challenge articulated before the learned ARC. *Thirdly*, it is contended that the eviction proceedings suffer from non-joinder of necessary parties, inasmuch as certain persons claiming rights in respect of the subject premises have not been impleaded in the eviction petition.

5. ***Per contra***, learned counsel appearing on behalf of the Respondent submits that the grounds urged by the Petitioners do not warrant interference with the Impugned Judgment. With respect to the objection regarding non-joinder of necessary parties, it is submitted that the persons sought to be impleaded had independently approached the learned ARC by way of applications under Order I Rule 10 of the CPC, which came to be dismissed vide orders dated 03.07.2025 and 19.02.2026, respectively. As a matter of fact, the parties who have not allegedly been impleaded are the legal heirs ["**LRs**"] of the sisters of the father of the Petitioners herein. It is submitted that the learned ARC, after considering the nature of the claims raised by the respective applicants, rightly concluded that their impleadment was not necessary for adjudication of the eviction proceedings.

6. It is further submitted that the objections relating to the *bona fide* requirement and availability of suitable alternative accommodation have been dealt with in detail by the learned ARC, upon consideration of the respective pleadings and material placed on

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record.

7. Accordingly, it is contended that the Impugned Judgment does not suffer from any illegality or material irregularity warranting interference in exercise of the revisional jurisdiction of this Court.

8. No other submissions were advanced by the learned counsel on behalf of the parties.

ANALYSIS:

9. This Court has heard learned Counsel appearing on behalf of the parties, and, with their able assistance, perused the relevant documents as also the Impugned Judgment.

10. Before proceeding to examine the grounds of challenge urged on behalf of the Petitioners, it would be apposite to advert to the scope and ambit of the revisional jurisdiction vested in this Court under the *proviso* to Section 25B(8) of the DRC Act.

11. The contours of the aforesaid jurisdiction are well settled. The Hon'ble Supreme Court, in ***Sarla Ahuja v. United India Insurance Co. Ltd.***[1], ***Hindustan Petroleum Corporation Ltd. v. Dilbahar Singh***[2], and, more recently, in ***Abid-Ul-Islam v. Inder Sain Dua***[3], has consistently held that the jurisdiction exercised by the High Court under the *proviso* to Section 25B(8) of the DRC Act is supervisory and revisional in character and cannot be equated with the exercise of appellate jurisdiction.

12. The aforesaid principles have also been reiterated and relied upon by Coordinate Benches of this Court, *inter alia*, in ***Pankaj***

[1] (1998) 8 SCC 119
[2] (2014) 9 SCC 78
[3] (2022) 6 SCC 30

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Pahwa v. Prem Wati & Ors.[4], and ***Sanjeev Hiranandani v. Sunny Grover***[5].

13. In ***Abid-Ul-Islam*** (supra), the Hon'ble Supreme Court, while elucidating the legislative intendment underlying Section 25(B) of the DRC Act, observed that the omission of an appellate remedy against an Order passed by the learned Rent Controller is conscious and deliberate. The jurisdiction conferred upon the High Court is, therefore, one of superintendence over the decision-making process, including the legality and propriety thereof, and does not permit the High Court to substitute its own view for that of the learned Rent Controller merely because another view on the material available on record may be possible. The relevant observations of the Hon'ble Supreme Court read as under:

> "**23.** The proviso to Section 25-B(8) gives the High Court exclusive power of revision against an order of the learned Rent Controller, being in the nature of superintendence over an inferior court on the decision-making process, inclusive of procedural compliance. Thus, the High Court is not expected to substitute and supplant its views with that of the trial court by exercising the appellate jurisdiction. Its role is to satisfy itself on the process adopted. The scope of interference by the High Court is very restrictive and except in cases where there is an error apparent on the face of the record, which would only mean that in the absence of any adjudication per se, the High Court should not venture to disturb such a decision. There is no need for holding a roving inquiry in such matters which would otherwise amount to converting the power of superintendence into that of a regular first appeal, an act, totally forbidden by the legislature."

14. In ***Pankaj Pahwa*** (supra), a Coordinate Bench of this Court, upon considering the principles enunciated in ***Abid-Ul-Islam*** (supra), reiterated that the jurisdiction exercised by this Court under the

[4] 2024:DHC:9322
[5] 2025:DHC:11285

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proviso to Section 25B(8) of the DRC Act is limited in scope and that this Court is not expected to substitute or supplant its view for that of the learned ARC. The revisional scrutiny is confined to examining the decision-making process and determining whether the Impugned Order suffers from an error apparent on the face of the record or an absence of adjudication warranting interference.

15. In view of the foregoing discussion, the position which emerges is that, while exercising jurisdiction under the *proviso* to Section 25B(8) of the DRC Act, this Court is neither required nor permitted to undertake a fresh appreciation of the material on record with a view to arrive at an independent conclusion on the merits of the dispute. Interference would be warranted only where the Impugned Judgment suffers from a jurisdictional error, manifest illegality, material irregularity or perversity, or where the conclusion arrived at by the learned ARC is wholly unreasonable or founded upon an erroneous premise of law. Equally, where a material plea has been left unconsidered, or the decision-making process otherwise discloses an error apparent on the face of the record, exercise of revisional jurisdiction may be warranted.

16. It is within the aforesaid limited parameters of revisional scrutiny that the grounds urged by the learned counsel on behalf of the Petitioners against the Impugned Judgment are required to be examined.

17. In this backdrop, it would be apposite for this Court to extract the relevant portions of the Impugned Judgment, which reads as under:

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"**B. BONA FIDE NEED:-**

13. The present case has been filed for the commercial *bona fide* need of the petitioner, who is a senior citizen, and wishes to set up a commercial shop of retail outlet from the tenanted premises.

14. In respect of the question of *bona fide* requirement, it is a settled law that the court must presume the *bona fide* requirement of the landlord and that the burden to refute the said presumption squarely lies on the tenant. A mere assertion on the part of the tenant is insufficient. It was held in ***Sarla Ahuja v. United India Insurance Co. Ltd.,*** (1998) 8 SCC 119 that:

> when a landlord asserts that he requires his building for his own occupation the Rent Controller shall not proceed on the presumption that the requirement is not bona fide. When other conditions of the clause are satisfied and when the landlord shows a prima facie case, **it is open to the Rent Controller to draw a presumption that the requirement of the landlord is bona fide.**

15. Similar observations made in case of ***Baldev Singh Bajwa v. Monish Saini***, (2005) 12 SCC 778 are as under:

> A heavy burden lies on the tenant to prove that the requirement is not genuine. The tenant is required to give all the necessary facts and particulars supported by documentary evidence if available to prove his plea in the affidavit itself so that the Controller will be in a position to adjudicate and decide the question of genuine or bona fide requirement of the landlord; a mere assertion on the part of the tenant would not be sufficient to rebut the strong presumption in the landlord's favour that his requirement of occupation of the premises is real and genuine.

16. With respect to the pleaded *bona fide* need, the respondents have submitted that the petitioner is a senior citizen aged about 65 years and it is not believable that a senior citizen like petitioner would like to start a retail business, which is highly cumbersome and hectic. However, the said submission is not tenable. The tenants cannot decide on behalf of the landlord as to whether the landlord is fit to commence a particular business or not. As stated above, the pleaded *bona fide* need carries with it a presumption of genuineness, which cannot be rebutted on the basis of conjectures and surmises. The Hon'ble Supreme Court has repeatedly held that the landlord is the best judge of the nature, extent and manner of their requirement (see ***Prativa Devi v. T.V. Krishnan*** (1996) 5 SCC 353, ***Shiv Sarup Gupta v. Dr. Mahesh Chand Gupta*** (1999) 6 SCC 222, ***Ragavendra Kumar v. Firm Prem Machinery & Co.*** (2000) 1 SCC 679 and ***Siddalingamma v. Mamtha Shenoy*** (2001) 8 SCC 561). The principles established in the aforesaid judgments were succinctly summarized in ***Dharampal v. Chaudhary Ram Chander***, 2017 SCC OnLine Del 12980, in the following manner:

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> (a) the landlord is the best judge of his requirement; (b) he has complete freedom in the matter; (c) **it is no concern of the Courts to dictate to the landlord how and in what manner he should use his property or to prescribe a standard therefor**; (d) there is no law which deprives a landlord of beneficial enjoyment of his property; (e) the Court would permit the landlord to satisfy the proven need by choosing the accommodation which the landlord feels would be most suited for the purpose; (f) the Court will not thrust its own wisdom upon the choice by the landlord by holding that no one but the other accommodation must be accepted by the landlord to satisfy his need; (g) the Judge, should place himself in the place of the landlord and then answer whether the bona fide requirement is out-come of a sincere, honest desire, instructed by realities of life; and, (h) the law does not command or compel the landlord to squeeze himself and dwell in lesser premises so as to protect the tenant's continued occupation.

17. Therefore, the petitioner is the best judge of his requirement, and the *bona fide* need cannot be doubted solely on the basis that it is unlikely for a senior citizen to commence a retail business. In any case, the DRC Act itself contains protective mechanisms in this regard. Section 19 of the DRC Act empowers the tenant to seek re-entry if, after eviction on the ground of *bona fide* requirement, the landlord does not occupy the premises or uses it for a different purpose within the statutory period. Accordingly, if the landlord fails to implement the proposed use, including in a scenario where the tenanted premises is not occupied by the petitioner for his business purpose, the tenants are not without remedy.

18. The other objection taken by the respondents is that the petitioner is already carrying on business with his elder son Mr. Salman Haroon at Bawana Industrial Area and also at Islam Ganj, Azad Market, Delhi (*see paragraph No. 7 of the affidavit annexed with the leave to defend application*). However, in the reply to the leave to defend application, the petitioner has specifically denied the said allegation. The respondents have not placed on record any documents/ cogent material/ photographs to show that the petitioner is engaged in a business with his elder son. Accordingly, the respondents have not been able to discharge the statutory burden placed upon them to disprove the case of the petitioner. Similarly, the respondents have also contended that the petitioner is carrying on business with his younger son Mr. Rehan Haroon at 9542, Islam Ganj, Azad Market, Delhi (*see paragraph No. 8 of the affidavit annexed with the leave to defend application*). However, the petitioner has specifically denied the same in the reply to the leave to defend application and has stated that Mr. Rehan Haroon

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is doing his own independent business from the said shop. Again, the respondents have not placed on record any documents/ cogent material/ photographs to show that the petitioner is engaged in the business of his younger son.

Therefore, in absence of the same, the respondents have not been able to create any triable issue in this regard.

C. AVAILABILITY OF SUITABLE ALTERNATE ACCOMMODATION:

19. With respect to the third ingredient of availability of other suitable alternate accommodation, it is to be noted that to entail denial of the claim of the landlord, an alternate accommodation must be reasonably suitable, in comparison with the tenanted premises in question. The Hon'ble Supreme Court in ***Shiv Sarup Gupta v. Dr. Mahesh Chand Gupta***, AIR 1999 SC 2507, has held that for an eviction petition to fail on the ground of availability of alternate suitable accommodation, the availability of another accommodation must be suitable as well as convenient in all respects as the tenanted accommodation from which the landlord seeks eviction of the tenant. Further, once the petitioner pleads on oath that they do not have any suitable alternate accommodation, the burden shifts upon the respondent to show the existence of a suitable alternate accommodation.

20. The respondents have contended that the petitioner has multiple alternate accommodations available and, therefore, the requirement pleaded is not *bona fide*. In support of this objection, reliance has been placed upon the following properties:

(i) **One shop along-with first floor showroom/ hall in the commercial building no. 4935, Chandi Chowk, Delhi.**

21. With respect to the said property, the petitioner has emphatically denied being in possession of any portion of the property bearing No. 4935 or 4935/1. The petitioner has stated that apart from the tenanted shop, the other shop/ mezzanine floor bearing the number 4935/2 was sold way back in the year 2011, and a copy of the registered sale deed in this regard has also been placed on record. Except for a bald plea, the respondents have not filed any material to show that the aforesaid portion is in the possession of the petitioner. As noted above, the burden to show existence of an alternate accommodation is upon the respondent. Accordingly, the respondents have failed to show that the aforesaid premises is a suitable alternate accommodation.

(ii) **Building no. 9691-93 situated at Islam Ganj, Azad Market, Delhi-6.**

22. The petitioner has denied being the owner of the aforesaid shops. It has been submitted that shop bearing No. 9690-9691 is owned by his elder son who is running his own business from the said shop. Next, it has been submitted that shop bearing No. 9692 is owned by Mrs. Shally Jhamb who is running her own business

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from the said shop. Further, it has been submitted that shop bearing No. 9693 is owned by Mr. Amir Yusuf and Mr. Asim Yusuf. Accordingly, the petitioner has given the details of the respective owners of the shops between 9690-9693, Islam Ganj, Azad Market, Delhi-110006. The respondents have not been able to show any contrary material refuting the submission of the petitioner. As noted above, the burden to show existence of an alternate accommodation is upon the respondent. In absence of any documentary material to show that the petitioner is the owner of the said shops/ or is in physical possession of the same/ or that they are lying vacant, the allegation of the respondents is bald in nature and does not create any triable issue.

(iii) **Building no. 9642 situated at Islam Ganj, Azad Market, Delhi-6.**

23. The petitioner has denied being the owner of the aforesaid premises. It has been submitted that the son of the petitioner namely Mr. Rehan Haroon is running his business from the ground floor of the aforesaid property bearing No. 9642 under the name and style of Novatex. The respondents have not been able to show any contrary material refuting the submission of the petitioner. As noted above, the burden to show existence of an alternate accommodation is upon the respondent. In absence of any documentary material to show that the petitioner is the owner of the said premises/ or is in physical possession of the same/ or that it is lying vacant, the allegation of the respondents is bald in nature and does not create any triable issue.

(iv) **Commercial Building No. 6012, Krishna Market, Sadar Bazar, Delhi.**

24. The petitioner has submitted that there are five shops in the said premises on the ground floor and all of them are occupied by old tenants namely Mr. Mohd. Khalid and Mr. Mohd. Salman, Mr. Shaan Elahi, Mr. Rakesh Kumar and Mr. Rajesh Kumar, Mr. Raees Ahmed and Mr. Zafar Ahmed, Mr. Mehtab Ahmed and Mr. Ikhlas Ahmed. It has been further submitted that the said property is owned by Smt. Seema Haroon and the petitioner is not in vacant occupation of any of the shops lying in the said premises. The respondents have contended that Smt. Seema Haroon is the wife of the petitioner who has no source of income and hence, the real owner is the petitioner only. However, even if the said submission is accepted, it is pertinent to note that the petitioner has specifically submitted that the entire property is occupied by old tenants. Therefore, the said property is not lying vacant. The respondents have not been able to show any contrary material refuting the submission of the petitioner. As noted above, the burden to show existence of an alternate accommodation is upon the respondents. In absence of any documentary material to show that the petitioner is the owner of the said premises/ or is in physical possession of the

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same/ or that it is lying vacant, the allegation of the respondents is bald in nature and does not create any triable issue.

(v) **Commercial Building No. 6056, Bajaj Market, Sadar Bazar, Delhi.**

25. With respect to the said property, the petitioner has denied that it consists of 24 shops. It has been submitted that there are 11 small shops in the said property owned by Smt. Seema Haroon, but all of the said shops are occupied by old tenants. It has been further submitted that none of the said shops are lying vacant. The respondents have contended that Smt. Seema Haroon is the wife of the petitioner who has no source of income and hence, the real owner is the petitioner only. However, even if the said submission is accepted, it is pertinent to note that the petitioner has specifically submitted that the entire property is occupied by tenants. Therefore, the said property is not lying vacant. The respondents have not been able to show any contrary material refuting the submission of the petitioner. As noted above, the burden to show existence of an alternate accommodation is upon the respondents. In absence of any documentary material to show that the petitioner is the owner of the said premises/ or is in physical possession of the same/ or that it is lying vacant, the allegation of the respondents is bald in nature and does not create any triable issue.

(vi) **Shop no. 969, Library Road, Azad Market, Delhi.**

26. The petitioner has denied being the owner of the aforesaid property. The respondents have not been able to show any contrary material refuting the submission of the petitioner. As noted above, the burden to show existence of an alternate accommodation is upon the respondents. In absence of any documentary material to show that the petitioner is the owner of the said premises/ or is in physical possession of the same, the allegation of the respondents is bald in nature and does not create any triable issue.

(vii) **Three shops no.191, 192 and 193 located at Katra Bariyan, Fatehpuri, Delhi-6.**

27. The petitioner has submitted that he is neither the owner nor in possession of the aforesaid premises. It has been submitted that the said premises is owned by Anjuman Wakil E-Qaoum Punjabiian. The respondents have not been able to show any contrary material refuting the submission of the petitioner. As noted above, the burden to show existence of an alternate accommodation is upon the respondents. In absence of any documentary material to show that the petitioner is the owner of the said premises/ or is in physical possession of the same, the allegation of the respondents is bald in nature and does not create any triable issue.

28. Accordingly, **no triable issue exists as far as the issue of suitable alternate accommodation is concerned.**"

18. Having considered the submissions advanced on behalf of the

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parties, this Court finds that the objection with respect to non-impleadment of necessary parties does not merit acceptance. It is pertinent to note that the persons allegedly not impleaded by the Respondent in the Eviction Petition, namely the LRs of the sister of the deceased father of the Petitioners herein, had filed separate Applications under Order I Rule 10 of the CPC, which came to be dismissed *vide* Orders dated 03.07.2025 and 19.02.2026.

19. The relevant observations of the learned ARC in the Order dated 03.07.2025 read as under:

> "Vide this order, I shall dispose of application u/o 1 Rule 10 CPC for impleadment of applicants namely Khurshid Ahmad, Mohd. Haroon, Mansoor Ahmad and Mohd. Ilyasas.
> It is submitted in the present application that the applicants are joint tenants in the tenanted premises, and therefore they may be impleaded as respondents in the present matter.
> The present application is opposed by the petitioner on the ground that the petitioner is not required to implead all the joint tenants and that impleadment of respondents is sufficient for the purpose of present petition.
> Arguments have been heard.
> It is clear from the application that status of the respondents as joint tenants is not disputed by the applicant.
> It is settled law that in a petition u/s 14(1)(e) of DRC Act the petitioner is not required to implead all the joint tenants because the occupation of one tenant is considered to be the occupation of all joint tenants. Reliance is placed on the judgment of *Suresh Kumar Kohli Vs. Rakesh Jain*, 2018 (6) SCC 708 wherein it was held that *"when original tenant dies, the legal heirs inherit the tenancy as joint tenants and occupation of one of the tenant is occupation of all the joint tenants. It is not necessary for landlord to implead all legal heirs of the deceased tenant, whether they are occupying the property or not. It is sufficient for the landlord to implead either of those persons who are occupying the property, as party. There may be a case where landlord is not aware of all the legal heirs of deceased tenant and impleading only those who are in occupation of the property is sufficient for the purpose of filing of eviction petition. An eviction petition against one of the joint tenant is sufficient against all the joint tenants and all joint tenants are bound by the order of the Rent Controller as joint tenancy is one tenancy and is not a tenancy split into different legal heirs.*

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Thus, the plea of the tenants on this count must fail."
In view of this settled position of law, impleadment of the applicants is not found to be necessary in the present petition to adjudicate the matter in controversy.
Therefore, no ground is made out to allow the present application.
The same is accordingly disposed of as dismissed.
Put up for further proceedings on 08.10.2025."

20. The relevant observations of the learned ARC in the Order dated 19.02.2026 read as under:

"An application u/o 1 Rule 10 CPC and 7 Rule 11 CPC has been filed.
Ld. counsel for the petitioner has submitted that he does not wish to file a reply.
Arguments heard.
The applicants namely Sh. Mohd. Iqbal and Sh. Mohd. Faisal are claiming to be impleaded in the present matter on the grounds that they are the owners of the suit premises based on a family partition. They have also submitted that they are in continuous exclusive possession of the suit premises since 2011. They have submitted that they are not the tenants under the petitioner herein and have a separate title to the suit premises.
It is a settled position of law that the proceedings under the DRC Act cannot be used to establish title over a suit property. The undersigned is confined to ascertaining the landlord tenant relationship between the parties. The applicants have themselves pleaded that they are not a tenant under the petitioner and have no privity of contract with the petitioner. Since that is the case, the applicants are not a necessary party in the present eviction petition for the reason that the undersigned is not going to decide the title over the suit premises. The applicants have a valid remedy to establish their title through a civil suit. Further, the petitioner has not made the applicants a party since it is being claimed that there is no privity of contract between the petitioner and the applicants, and they are not a tenant under the petitioner. The same is not disputed by either party.
Accordingly, the present application u/o 1 Rule 10 CPC stands dismissed since the applicants are not a necessary party in the present eviction petition.
Consequently, the application u/o 7 Rule 11 CPC is also dismissed since the applicants are not a party in the present eviction petition. In any case, rejection of the petition has been sought on the ground that the applicants are the actual owners of the suit premises; however, at the stage of Order 7 Rule 11 CPC, only the petition is required to be seen, and as per the same, the

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> petitioner has duly averred that the ownership of the suit premises lies with the petitioner.
> Accordingly, the petitioner has pleaded a cause of action to file the present eviction petition and hence, the application u/o 7 Rule 11 CPC is devoid of merit. The same is accordingly dismissed.
> Ld. Proxy counsel for the respondent has sought for a date in April on the ground that the main counsel is recovering from a heart attack.
> Relist the matter for arguments on leave to defend application on 06.04.2026."

21. A perusal of the aforesaid Orders reveals that the Applicants in the first Application had sought impleadment on the ground that they were joint tenants in respect of the subject premises. The learned ARC, relying upon the judgment of the Hon'ble Supreme Court in ***Suresh Kumar Kohli v. Rakesh Jain***[6], held that impleadment of all joint tenants was not necessary for maintaining the eviction proceedings. In the subsequent Application, the Applicants, namely Mohd. Iqbal and Mohd. Faisal, had asserted independent ownership rights in the subject premises on the basis of a family partition and claimed to be in exclusive possession thereof. The learned ARC rejected the prayer for impleadment, observing that the proceedings under the DRC Act were confined to examining the landlord-tenant relationship and were not the appropriate proceedings for adjudication of independent claims of title.

22. This Court finds no infirmity in the aforesaid approach adopted by the learned ARC. The two Applications raised distinct claims, which were duly considered in the light of the nature of the eviction proceedings. While the claim of joint tenancy was dealt with in accordance with the settled position of law, the assertion of independent ownership by the subsequent applicants did not, by itself,

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render their presence necessary for adjudication of the Eviction Petition. The Applicants claiming independent title would, in any event, be at liberty to pursue such remedies as may be available to them in accordance with law. The Petitioners have, therefore, failed to demonstrate any procedural illegality or prejudice arising from their non-impleadment. The Applicants, whose impleadment was declined by the learned ARC, have not assailed the respective Orders of dismissal, and the Petitioners herein cannot be permitted to espouse their cause or agitate the issue on their behalf.

23. Insofar as the ground relating to the *bona fide* requirement is concerned, this Court finds that the learned ARC has duly considered the objection raised by the Petitioners regarding the Respondent's age and his alleged involvement in the businesses of his sons. The learned ARC has rightly observed that the landlord is the best judge of his requirement and that the mere fact that the Respondent is a senior citizen cannot, by itself, render his stated intention to commence a retail business improbable. Further, the Petitioners have failed to place any cogent material on record to substantiate their allegation that the Respondent is already engaged in the businesses of his sons. No perversity or illegality is, therefore, discernible in the findings returned by the learned ARC in this regard.

24. Similarly, with respect to the availability of suitable alternative accommodation, the learned ARC has examined each of the properties relied upon by the Petitioners and considered the Respondent's explanation with respect thereto. The learned ARC has returned a finding that the Petitioners have failed to establish either the

[6] (2018) 6 SCC 708

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Respondent's ownership or possession of the alleged alternative premises, or their availability in a vacant and suitable condition. In the absence of any cogent material to dislodge the Respondent's explanation, the allegations raised by the Petitioners were rightly found insufficient to give rise to any triable issue. This Court finds no manifest illegality or perversity in the aforesaid findings warranting interference in the present revisional proceedings.

25. The mere fact that another view may be possible on the material available on record would not, by itself, furnish a ground for interference in exercise of the limited revisional jurisdiction vested in this Court under the proviso to Section 25B(8) of the DRC Act.

26. In view of the foregoing discussion and having regard to the limited scope of revisional jurisdiction, this Court finds no ground warranting interference with the Impugned Judgment and the present Revision Petition is dismissed accordingly.

27. The present Petition, along with pending Application(s), if any, stands disposed of in the aforesaid terms.

HARISH VAIDYANATHAN SHANKAR, J

NOVEMBER 20, 2026/dy/ma

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