

**CIVIL REVISION APPLICATION CHALLENGING THE
JUDGMENT AND ORDER PASSED BY APPELLATE
BENCH OF SMALL CAUSES COURT**

IN THE HIGH COURT OF JUDICATURE AT _____

CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO. _____ OF _____

(UNDER SECTION 115 OF CIVIL PROCEDURE CODE, 1908.)

DIST: _____

- 1. _____)
- 2. _____)
- 3. _____)
- 4. _____)

All heirs and legal representatives of)

_____ and _____)

_____ residing at _____)

_____)

_____)

_____)... Appellants
(Orig. Defendants)

Versus

- 1. _____)
- residing at _____,)
- _____)

- 2. _____)
- 3. _____)
- 4. _____)
- 5. _____, all)

2 to 5 heirs and legal representatives)

Of Deceased _____)

residing at _____)

_____)

- 6. _____)

residing at _____,)

_____)... Respondents
(Orig. Plaintiffs)

THE APPLICANTS MOST RESPECTFULLY STATE AS UNDER

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1. The Applicants herein being the legal heirs of original Defendant No. 1, are the original Defendants and are the tenants of premises being Flat No. _____ situated at _____, (hereinafter referred to as “**Suit Flat**”). The Applicants and their parents have been occupying and residing in the Suit Flat ever since the year _____ till date. For the sake of convenience, the parties are hereinafter respectively referred to by their original

designation in the title in the suit namely the Applicants as the Defendants and the Respondents as the Plaintiffs. The original Defendant No. 1, (*since deceased*), was the mother of Defendant Nos. 2 to 5. The Respondents herein are the landlords of the Suit Flat and are the original Plaintiffs (*including legal heirs of Plaintiff No. 2*).

2. The Plaintiffs had filed R.A.E. Suit No. ____/____ of ____ against the Defendants seeking eviction of the Defendants on the purported ground of bonafide requirement. By an order dated _____, the Hon'ble Court of Small Causes Court at _____ was pleased to dismiss the suit. However, in Appeal No. ____ of _____ filed by the Plaintiffs, the Hon'ble Appellate Bench of the Hon'ble Court of Small Causes at _____, vide its Order and Judgment dated _____, transcribed and signed on _____, was pleased to allow the Appeal and to decree the suit for eviction of the Defendants. The Hon'ble Appellate Bench, with utmost respect, completely misapplied the well settled position in law that a simplicitor desire to obtain the possession of the premises in occupation of the tenant could not be said to be a bonafide requirement entitling the landlords to a decree

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