

HIGH COURT OF SIKKIM

Record of Proceedings

RFA No.01/2018

MANJU SEWA

...Appellant.

VERSUS

DILLI RAM RASAILY

... Respondent.

Date: 23/05/2018

CORAM :

HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN, J.

For Appellant : Ms. Dr. Doma T. Bhutia, Legal Aid Counsel
with Mr. Preeti Chhetri and Mr. Ratan Gurung,
Advocates.

.....

This is an Appeal preferred under Order XLI, Rule 1 & 2 of the Code of Civil Procedure, 1908 (CPC) against the Judgment and decree dated 12.03.2018 passed by the Court of the learned District Judge, Special Division -I Sikkim at Gangtok in Eviction Suit No. 04/2015 by which the Appellant herein was directed to pay the arrears of rent of Rs. 3,51,000/- only with penditilite interest and further interest @ 6% per annum till the payment/ realization of the total amount. Order XLI Rule (1) (3) of CPC provides:

"(3) where the appeal is against a decree for payment of money, the appellant shall, within such time as the Appellate Court may allow, deposit, the amount disputed in the appeal or furnish such security in respect thereof as the Court may think fit."

In view of the aforesaid the Appellant is directed to deposit the decretal amount in the Registry of this Court pursuant to which the Appeal may be heard.

List on 20.06.2018.

Judge

23-05-2018