

IN THE SUPREME COURT OF INDIA**CIVIL APPELLATE JURISDICTION****CIVIL APPEAL NO. _____/2020****(Arising out of Special Leave Petition (C) No(s).
13085/2017)****MURLIDHAR S/O LAXMANRAO WANKHADE****APPELLANT(s)****VERSUS****MOHAMMED IQBAL ABDUL LATIF****RESPONDENT(s)****O R D E R**

Heard learned counsel for the parties.

We find that the High Court has not assigned any valid reason to set aside the findings arrived at by the Trial Court as well the First Appellate Court in respect of the arrears of rent. Undisputedly, the arrears of rent from 01.10.2001 to 31.12.2003 were not paid in respect of the property in question. The respondent herein admits in his evidence that he has not paid the rents during the said period. Such material facts are ignored by the High Court. We find that the judgment of the High Court on the issue of arrears of rent is not a speaking judgment.

Accordingly, the impugned judgment passed by the High Court stands set aside. The respondent shall be evicted on the ground of non-payment of arrears of rent. Ordered accordingly. The appeal stands allowed

The respondent is granted one year time to vacate the premises subject to filing of usual undertaking within four weeks from today.

Pending application(s), if any, stands disposed of accordingly.

.....J.
[MOHAN M. SHANTANAGUDAR]

.....J.
[K.M. JOSEPH]

NEW DELHI;
JANUARY 21, 2020.

ITEM NO.18

COURT NO.13

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 13085/2017

(Arising out of impugned final judgment and order dated 12-01-2017 in WP No. 3290/2008 passed by the High Court Of Judicature At Bombay At Nagpur)

MURLIDHAR S/O LAXMANRAO WANKHADE

Petitioner(s)

VERSUS

MOHAMMED IQBAL ABDUL LATIF

Respondent(s)

Date : 21-01-2020 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR
HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s) Mr. Satyajit A. Desai, Adv.
Mr. Sunil M., Adv.
Ms. Anagha S. Desai, AOR
Mr. Satya Kam Sharma, Adv.

For Respondent(s) Ms. Qurratulain, Adv.
Mr. Shivaji M. Jadhav, Adv.
Mr. Nicholas Choudhary, Adv.
M/S. S.M. Jadhav And Company, AOR

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

Leave granted.

The Civil Appeal stands allowed in terms of the signed order.

Pending application(s), if any, stands disposed of accordingly.

(ASHWANI THAKUR)
COURT MASTER (SH)

(R.S. NARAYANAN)
COURT MASTER (NSH)

(Signed order is placed on the file)