

ITEM NO.3 Court 4 (Video Conferencing) SECTION IV-B

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). 8305/2020

(Arising out of impugned final judgment and order dated 06-03-2020 in CR No. 3892/2019 passed by the High Court Of Punjab & Haryana At Chandigarh)

RAKESH SHARMA

Petitioner(s)

VERSUS

KUNDAN LAL KAPOOR

Respondent(s)

(FOR ADMISSION and I.R. and IA No.61946/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.61950/2020-EXEMPTION FROM FILING O.T. and IA No.61947/2020-EXEMPTION FROM FILING AFFIDAVIT)

Date : 26-11-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s)

Mr. A.A. Kalebudde, Adv.

Mr. Taherabi Kalebudde, Adv.

Mr. Mukesh Kumar Singh, Adv.

Mr. Amit, Adv.

Mr. Ikshit Singhal, Adv.

Mr. Jeetendra Kumar, Adv.

Mr. Shantanu Jugtawat, Adv.

Mr. Bhanu Priya Sharma, Adv.

M/S. Mukesh Kumar Singh And Co., AOR

For Respondent(s)

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

It is submitted by the learned counsel for the petitioner that the High Court has not considered the crucial plea raised by the petitioner that another suit is pending between the parties and there is an agreement

between the parties that there was no need to deposit the rent amount by the petitioner in the present proceedings.

As this plea is not adverted to in the impugned judgment, we permit the petitioner to approach the High Court by way of Review Petition.

As regards the merits of this judgment, we do not express any final opinion as the petitioner through counsel has prayed for liberty to file review petition.

Hence, this Special Leave Petition is disposed of with aforesaid liberty.

If the Review Petition is decided against the petitioner, it will be open to the petitioner to challenge the said decision as well as the impugned judgment by way of fresh Special Leave petition before this Court.

(Deepak Singh)
COURT MASTER

(VIDYA NEGI)
COURT MASTER