

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

Diary No(s) . 20903/2017

(Arising out of impugned final judgment and order dated 29-09-2014 in RCREV No. 348/2010 passed by the High Court of Kerala at Ernakulam)

TONY

Petitioner(s)

VERSUS

MARIAMMA & ORS.

Respondent(s)

(IA No.78236/2017-CONDONATION OF DELAY IN FILING and IA No.78246/2017-EXEMPTION FROM FILING O.T. and IA No.78242/2017-CONDONATION OF DELAY IN REFILING)

Date : 30-08-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH

HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. Thomas P. Joseph, Sr. Adv.
Mr. Sajith. P., AOR
Ms. Nazia Hasan, Adv.

For Respondent(s)

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

Delay condoned.

The Rent Control Court has only relegated the petitioner to work out his remedy regarding establishment of title before the Civil Court.

Learned senior counsel appearing for the petitioner submits that some of the observations made by the High Court might stand in the way of the Civil Court taking an independent decision.

We find no force in such an apprehension. The observations made by the High Court are only for the purpose of deciding the revision petition. Therefore, if and when the petitioner takes

recourse to the remedy for which liberty has been granted by the Court, the same will be decided on its own merits, uninfluenced by any of the observations and findings in the impugned order.

The special leave petition is disposed of, as above.

Pending application(s), if any, shall stand disposed of.

(NARENDRA PRASAD)
COURT MASTER

(RENU DIWAN)
ASST. REGISTRAR