

ITEM NO.6 Court 8 (Video Conferencing)

SECTION IV-C

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

Petitions for Special Leave to Appeal (C) Nos. 4551-4552/2021
(Arising out of impugned final judgment and order dated
26-02-2021 in IA No. 01/2018 26-02-2021 in IA No. 04/2019
passed by the High Court Of Chhatisgarh At Bilaspur)

MAYUR SAHU & ORS. Petitioner(s)

VERSUS

JAWAHARLAL SAKHUJA & ANR. Respondent(s)

(FOR ADMISSION and I.R. and IA No.39707/2021-EXEMPTION FROM
FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 23-03-2021 These petitions were called on
for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Petitioner(s) Mr. Anupam Lal Das, Sr. Adv.
Mr. Sameer Shrivastava, AOR
Ms. Priya Kanwat, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Learned counsel for the petitioners contends
that the suit for eviction filed by the petitioner(s)
as owner against the respondent-tenant was dismissed
by the trial Court on 16.04.2018 on the spacious
ground that the relationship of landlord and tenant
was not established on account of there being a

cloud on the title of the petitioner(s) having acquired the same through a deed of assignment. He submits that the respondent was a tenant of his father and the deed of assignment is by the father in favour of the Son.

The appeal is pending before the High Court. In the appeal orders were passed on 06.06.2018 as an interim arrangement measure so that that the respondent-tenant does not withdraw the rent lying deposited in Court and further continues to deposit the rent at Rs.5,000/- per month. However, by a cryptic impugned order, dated 26.02.2021, both these aspects stand vacated. It is his submission that the consequence would be that the respondent(s) would continue to enjoy the premises without paying any rent and also withdrawing the rent already deposited.

Issue notice.

In the meantime, the operation of the impugned order is stayed.

A copy of the order to accompany notice.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)