

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

Single Bench

Civil Revision NO. 182/2003

APPLICANT/
DEFENDANT
Alok Singh, S/o. Shri S. N. Singh
Aged 32 years, R/o. B-189, Samta
Colony, Raipur (C.G.)

VERSUS

NON-APPLICANT
PLAINTIFF
Smt. Rajni Rana, W/o. Shri P.B. Rana
R/o. B-189, Samta Colony Raipur
District. Raipur (C.G.)

REVISION PETITION U/S. 23-E OF M.P.
ACCOMMODATION CONTROL ACT

182/03
Rajni Rana
182/03



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ctg

आदेश पत्रक

C.R. NO. 182/2003

(21)

मामला क्रमांक सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p><u>31-7-2003</u></p> <p>Shri Parag Kotecha, Advocate for the applicant.</p> <p>Shri R.N. Jha, Advocate for the non-applicant.</p> <p>With consent, heard finally.</p> <p>By this petition, the applicant challenges the order dated 21-4-2003 passed by the Rent Control Authority in case no. 3/90(8)/2002-03 whereby the application seeking leave to defend by the applicant has been refused.</p> <p>The non-applicant filed a case before the Rent Control Authority for eviction of the applicant on the ground of bonafide need. On the application, notice was issued to the applicant by Registered-ad and notice through publication was also issued. The applicant on 10-3-2003 filed an application for condonation of delay and leave to defend on the ground that he could not appear within the stipulated period as his father was admitted in Jabalpur Hospital and Research Centre, Jabalpur and he had to remain at</p>	

[पीछे देखिये]

आदेश पत्रक

मामला क्रमांक

C-R 016-182/03

सन् 200

(22)

विरुद्ध

आदेश का
दिनांक आदेश

आदेश हस्ताक्षर सहित

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कार्यालयीन मामलों में डिप्टी रजिस्ट्रार
के अन्तिम आदेश

Jabalpur for three months. He also filed an affidavit in support of his contention. The application was opposed by the non-applicant on the ground that in support of the contention, the applicant has not filed any document.

The applicant has been dismissed by the Rent Control Authority by the impugned order on the ground that the service has been effected on the applicant through ordinary notice, Registered notice, affixture and by publication in news paper and the applicant has filed application for leave to defend after three months and further that no document has been filed in support of the contention regarding illness of the father of the applicant.

Learned counsel for the applicant submitted that the medical documents regarding illness of his father has been filed before this Court. Shri R.N. Jha, learned counsel appearing for the non-applicant, on the other hand submitted that these documents ought to have been filed before the

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आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
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	<p>learned Rent Control Authority. However since they have been filed, the Court below may consider them.</p> <p>Having considered the facts and circumstances of the case and material on record, leave to defend is allowed subject to the payment of cost of Rs. 500/-.</p> <p>Shri Jha further submitted that the applicant is not depositing the monthly rent.</p> <p>Shri Kotecha undertakes that the applicant will deposit all arrears of rent and will continue to deposit the monthly rent.</p> <p>With the above observation, the petition is disposed of.</p> <p>In view of the above order, M.C.P. No. 845/2003, I.A. No. 5115/203 and I.A. No. 5116/2003 also stand disposed of.</p> <p>Certified copy as per rules.</p>	
PATHAK/-		<p>Sd/- Fakhruddin Judge</p>