

17 PPA 7/19

AJAB SINGH Vs. UNION OF INDIA AND OTHERS

08.07.2025

Present: Sh Jivesh and Ms. Samiksha Ld. counsel for the
appellant alongwith appellant
Main counsel for appellant through VC
Sh Ajay Bidhuri, Ld. Counsel for the defendant no.1
& 2

Arguments on application heard.

There are two application one under Order VI Rule
17 CPC and other for seeking condonation of delay.

It has been apprised by Ld. counsel for the plaintiff
that the possession of the property is handed over to the
defendant and recovery of the rent/damages has already been
made from the salary of the plaintiff. It is further argued that all
the facts which petitioner seeks to place on record are subsequent
to filing of present petition.

Ld. Counsel further states that notice under section 7
of Public Premises Act was never issued by the respondent upon
the appellant prior to recovery of money.

On the other hand, counsel for defendant argued as
per section 9 clause b of PP Act, the appeal has to be file within
the period of 12 days from the order.

Ld. Counsel for appellant objected to the same
arguing that no such order was ever passed nor any notice under
Sec 7 of PP Act was ever received. Ld. Counsel for the appellant

further states that he has not challenged notice u/s 4 of PP Act.

Now to come up for **02.08.2025** for orders.

(Anubhav Jain)
District Judge -05, NDD,
PHC/ND/08.07.2025