

Satpal Saini (since deceased) through LRs vs. Satish Kumar and others a/w connected matters

**Civil Revision No. 137 of 2022
a/w Civil Revision No. 75 of 2024**

18.12.2024 Present: Ms. Heena Chauhan, Advocate, for the petitioner(s).

Ms. Devyani shrma, Sr. Advocate, with Mr. Basant Pal Thakur, Advocate, for respondents No. 1, 2(a) to 2(c) and 3.

Repeated adjournments are being sought by the petitioner(s) since 21.10.2024. Even today, a request is made for posting of the matter after the ensuing winter vacation.

In the case at hand, use and occupation charges were determined by the 1st Appellate Court on 16th July, 2022. The 1st Appellate Court had fixed the use and occupation charges at the rate of Rs.75,00/- per month from the date of eviction i.e. 19.02.2020. The aforesaid order had been stayed vide order dated 16.08.2022, subject to the petitioner depositing 50% of the use and occupation charges. Admittedly in the case at hand, use and occupation charges in terms of order dated 16.08.2022 stand deposited.

Keeping in view the paltry sum of use and occupation charges awarded in the case at hand and the fact that repeated adjournments are being sought, interim protection granted vide order dated 16.08.2022 is vacated. Petitioner is directed to deposit the entire use and occupation charge till date and to continue to deposit the same during the pendency of the present

petition. Needful be done within a period of four weeks from today.

List the matter after ensuing winter vacation in the 2nd Week of March, 2025.

(Bipin C. Negi)
Judge

December 18, 2024
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