

RSA No.17 of 2015

Misc. Case No.563 of 2017

19. 04.05.2018 Heard learned counsel for the appellants and learned counsel for the respondents.

This is a petition filed by the Respondent No.1 to repair the house said to have been possessed by him. On the other hand, learned counsel for the appellants submitted that there is already order passed on 8.2.2018 allowing the appellants to repair the house in question over the suit land. It is admitted fact that the learned trial court has dismissed the suit of the plaintiff against which the First Appeal was filed where the First Appellate Authority allowed the appeal. Against that the present appeal has come up challenging the order of the learned lower Appellate Court. On perusal of the order dated 8.2.2018, it appears that the appellants have already undertaken the repair work of the house without prejudice to the rights and liabilities of the parties to be adjudicated and without any right of equity to be claimed. So, the present petition needs no further order and same is also dismissed.

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Dr. D.P.Choudhury, J.

20. 04.05.2018

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List this mater on 29.6.2018.

Call for the L.C.R.

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Dr. D.P.Choudhury, J.

