

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Second Appeal No. 526/2017

Arvind Kumar Singhi s/o Daulat Ram Singh

----Appellant

Versus

Teju Mal through LRs And Anr.

----Respondents

For Appellant(s) : Mr. Rahul Kamwar

For Respondent(s) : Mr. Alok Chaturvedi with
Mr. Shailendra Sharma

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

20/05/2022

This appeal has been filed by plaintiff-landlord, feeling aggrieved by judgment and decree dated 20.05.2017 whereby and whereunder the first Appellate Court has declared the defendants-tenants as first defaulter, however, extended the benefit of first defaulter and declined to pass decree for eviction on the ground of defaulter. The trial Court dismissed the eviction suit as a whole.

Heard counsel for both parties.

The second appeal is **admitted** for hearing on following substantial question of law:-

(i) Whether in the fact and circumstances, learned Appellate Court committed an error of law. While not considering the document Exhibit-1 to Exhibit-13 which were marked Exhibit in evidence and oral evidence of PW-1 Arvind Kumar Singhi; after allowing the application under Order 41 Rule 27?

