

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p data-bbox="643 405 863 432"><u>CLR No. 189 of 2023</u></p> <p data-bbox="643 439 1139 479"><u>Hon'ble Rakesh Thapliyal, J.</u></p> <ol style="list-style-type: none"> <li data-bbox="643 510 1509 589">1. Mrs. Bina Pande, learned counsel for the revisionist. <li data-bbox="643 595 1509 674">2. Mr. Tribhuwan Chandra Pandey, learned counsel for the respondents. <li data-bbox="643 680 1509 1149">3. The instant civil revision has been preferred against the judgment and order passed by the SCC Court/learned District Judge, Pithoragarh dated 04.11.2023 in SCC Case No. 02 of 2022 'Prashant Pant vs. Manik Pandey', whereby, the suit preferred by the revisionist/plaintiff has been dismissed. On perusal of the judgment admittedly there is no dispute about the landlord and tenant relationship in between the revisionist and the respondent/defendant, therefore the respondent/defendant being a tenant of shop in question has to vacate the shop in question. <li data-bbox="643 1155 1509 1272">4. The SCC Suit was dismissed merely on the ground that the enhanced rate of rent could not be established. <li data-bbox="643 1279 1509 1447">5. Be that as it may, undisputedly the revisionist/plaintiff is the landlord of the shop in question, therefore the respondent/defendant being a tenant should vacate the shop. <li data-bbox="643 1453 1509 1664">6. It is also apprised by Mrs. Beena Pande, learned counsel for the revisionist, that on 29.10.2025 the earlier agreement between the landlord and the tenant has already been expired and no fresh tenancy has been given to the respondent. <li data-bbox="643 1671 1509 1921">7. In such view of the matter, on the previous several occasions the respondent/defendant was directed to get the instructions within how much period he will vacate the shop in question, however he has proposed to vacate it within three years but the said proposal is not acceptable to the revisionist. <li data-bbox="643 1928 1509 2045">8. Mrs. Beena Pande, learned counsel for the revisionist, apprise to this court that since last 14 months the respondent/defendant has not paid any

			<p>penny towards the rent, however, learned counsel for the respondent apprise to this court that for the month of October, November and December, 2023 he has deposited the rent in the SCC Court and submits that the respondent/defendant paid the entire rent.</p> <p>9. If it is so, the respondent/defendant shall place the evidence in this regard by 17.12.2025, failing which the respondent/defendant shall remain present in court.</p> <p>10. List this matter on 17.12.2025.</p> <p style="text-align: right;">(Rakesh Thapliyal, J.) 15.12.2025</p> <p>PR</p>
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