

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

CIVIL APPEAL NO. 1894 OF 2000

PRITHWIRAJ AMOLAKCHAND LODHA

Appellant (s)

VERSUS

MARUTIBHAU MALI (DEAD) BY LRS.

Respondent(s)

Date: 31/08/2005 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE A.K. MATHUR

For Appellant(s)

Mr. V.N. Ganpule, Sr.Adv.

Mr. Ashok Kumar Singh,Adv.

Mr. S.B. Meitei, Adv.

For Respondent(s)

Mr. M.D. Adkar, Adv.

Mr. V.N. Raghupathy,Adv.(Not Present)

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel for the parties.

shall As agreed to by the parties, it is directed that the appellant
not be evicted from the premises in question till 31st Au
gust, 2006, upon
filing usual undertaking within four weeks' from today.

The appeal, accordingly, fails and the same is dismissed.

No costs.

[Alka Dudeja]
Court Master

[Om Prakash]
Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1894 OF 2000

Prithwiraj Amolakchand Lodha

...Appellant(s)

Versus

Marutibhau Mali (Dead) by Lrs.

...Respondent(s)

O R D E R

By the impugned order, the High Court has dismissed second appeal on the
ground that the appeal was concluded by finding of fact and no substantial question of
law was involved therein.

Having heard learned counsel for the parties and perused the records we are of the view that as there was no substantial question of law involved in the appeal, the High Court was quite justified in dismissing the same, as such no interference by this Court is called for. As agreed to by the parties, we direct that the appellant shall not be evicted from the premises in question till 31st August, 2006, upon filing usual undertaking within four weeks' from today.

The appeal, accordingly, fails and the same is dismissed with the directions aforementioned.

No costs.

.....J.

[B.N. AGRAWAL]

.....J.

[A.K. MATHUR]

New Delhi,

August 31, 2005.