

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERALOCUTORY APPLICATION NO. 3

(Application for directions)

IN

CIVIL APPEAL NO. 7381 OF 2013

Arif Pall & Ors.

.... Appellants

VERSUS

Bijay Kumar Sarawagi & Ors.

.... Respondents

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 26th August, 2013, when the Court was pleased to pass the following order:-

"Heard Mr. Patil, learned senior counsel in support of this special leave petition and Mr. Jha, learned counsel for the respondents.

2. The neat question of law which arises in this matter is whether the son of the deceased tenant could come on record as a heir under Section 5 of the Jharkhand Building (Lease, Rent and Eviction) Control Act, 2011 in view of the fact that his mother is already on record. The matter requires consideration. Leave granted. Hearing of the appeal is expedited.

3. The decree granted by the Trial Court against the appellant to vacate the premises concerned, will remain stayed until further orders. The counsel for the respondents makes a grievance that the rent is hardly any amount. He may take out appropriate application for that purpose and as and when such an application is filed, it will be considered. "

It is submitted that Mr. M.P. Jha, Advocate for all the eight respondents have been expired and notice for alternative arrangement has been sent to all the eight respondents. Mr. Ashok Mathur, Advocate has filed vakalatnama and memo of appearance on behalf of respondent Nos. 1, 3, 5, 6 and 8. Respondent No. 2 has been expired but counsel for the appellant has not taken any steps to brought on record the Lrs. of deceased respondent Nos. 2. Neither A.D. cards nor unserved covers of alternative arrangement notice have been received back in respect of 4, 7. Service of alternative arrangement notice is incomplete in the matter so far.

It is further submitted that Mr. Ashok Mathur, Advocate for respondent Nos. 1, 3, 5, 6 and 8 has filed an application for directions which is registered as I.A. No. 3. (Copy of application is placed with main appeal paper books).

The matter above-mentioned is listed before the Hon'ble Court with this office report.

DATED THIS THE 25TH DAY OF AUGUST, 2015.

ASSISTANT REGISTRAR

Copy to : Mr. T. Mahipal, Advocate
Mr. Ashok Mathur, Advocate

ASSISTANT REGISTRAR

Kush