

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

Petition(s) for Special Leave to Appeal (Civil) No(s).10300/2013

(From the judgement and order dated 04/01/2013 in SA No.90/2012 of the HIGH COURT OF JHARKHAND AT RANCHI)

ARIF PALL & ORS.

Petitioner(s)

VERSUS

BIJAY KUMAR SARAWAGI & ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 26/08/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. GOKHALE

HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s) Mr. Basava Prabhu Patil, Sr. Adv.
Mr. Jayesh Gaurav, Adv.
for Mr. T. Mahipal, Adv.

For Respondent(s) Mr. M.P. Jha, Adv.
Mr. Ram Ekbal Roy, Adv.
Mr. Harshvardhan Jha, Adv.
Mr. Dileep Pillai, Adv.

UPON hearing counsel the Court made the following

O R D E R

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.

(A.S. BISHT)
COURT MASTER

(SNEH LATA SHARMA)
COURT MASTER