

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).3986/2007

(From the judgement and order dated 24/05/2006 in WP No.52/2006 & Order dated 09/01/2007 in CMA No.1342/2006 in WP No.52/2006 of the HIGH COURT OF JUDICATURE AT ALLAHABAD AT LUCKNOW)

RAMESH KUMAR MITTAL Petitioner(s)

VERSUS

AVINASH CHANDRA JAIN Respondent(s)

(With prayer for interim relief and office report)

Date: 20/08/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA
HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s) Mr. Shakil Ahmed Syed,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

None appears for the respondent, though served.

Leave granted.

The appeal is disposed of in terms of the signed order.

(N. Annapurna) (Madhu Saxena)
Court Master Court Master
(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2007
(Arising out of S.L.P.(C) No.3986 of 2007)

Ramesh Kumar Mittal ...Appellant(s)

Versus

Avinash Chandra Jain ...Respondent(s)

ORDER

None appears for the respondent, though served.

Leave granted.

In the present matter, the High Court has set aside the decree in favour of the appellant-tenant without notice to the tenant. In the circumstances, we set aside the impugned orders and restore the Writ Petition No.52 of 2006 on the file of the High Court. The High Court is requested to dispose of the matter in accordance with law.

The Appeal is disposed of accordingly.

.....J.
(S.H. KAPADIA)

.....J.
(B. SUDERSHAN REDDY)

New Delhi,
August 20, 2007.