

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)...../2007

(CC 3269/2007)

(From the judgement and order dated 06/09/2006 in CWP No. 23494/2006 of the
HIGH COURT OF JUDICATURE AT ALLAHABAD)

PRADEEP KUMAR AWASTHI

Petitioner(s)

VERSUS

UMA KANT TRIPATHI

Respondent(s)

(With appln(s) for c/delay in filing SLP)

Date: 09/04/2007 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. Arvind Verma,Adv.

Mr. T. Mahipal,Adv.

Ms. Malika Trivedi,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

In the present matter the High Court has enhanced the rent on its own w.e.f. 1.5.2006. In our view since the rent is being fixed for the first time by the High Court on its own the matter stands covered by Art.226 of the Constitution of India. Hence the petitioner is directed to move the Division Bench by way of special appeal in the High Court, if so advised. Subject to above, the special leave petition is dismissed.

[SUMAN WADHWA]

COURT MASTER

[MADHU SAXENA]

COURT MASTER