

B

C.A.No. 3429-3432 OF 1998
ITEM No.1

Court No. 2

SECTION XII
A/N MATTER

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

I.A. No. 45-52 in Civil Appeal No.3429-3432/1998

J.J. LAL PVT.LTD. & ORS.

Appellant (s)

VERSUS

M.R.MURALI & ANR.

Respondent (s)

(for directions and Permission to file Addl. documents)

With

CONMT.PET.(Civil)No.173-176/2001 in CA 3429-3432/98

(With appln.(s) for permission to submit Addl. documents and office report)

Date : 29/03/2004 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE ARUN KUMAR

For Appellant (s) Mr. R.R.Dubey, adv.

in IA 45-48 in CA 3429-32/98 Mr. Santosh Mishra, Adv.

Mr. S.B. Upadhyay, Adv.

For Petitioner in Mr. T. Raja, Adv.

CP(C) 173-176/01Mr. Shivaji M. Jadhav, Adv.

For Respondent (s)Mr. T. Raja, Adv.

Mr. Shivaji M. Jadhav, Adv.

Mr.R.R. Dubey, Adv.

Mr. S.B.Upadhyay, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard.

During the course of hearing it is pointed out by reference to the rejoinder affidavit dated 16.7.1998 on the affidavit of Northan Mal Chouraria that now the dispute between the parties remains confined to the following payments.

(A)To M.R. Murali (Respondent)

Amt. Paid/

Cheque issued Fvg. M.B. Rama Chandra Naidu Jan'89 to Feb'91

Rent paid to Murali July 92 to Feb'94

J.J. Lall Pvt. Ltd.

Rs.32,500.00

Rs.25,000.00

Jeetmull Jaichand Lall (M) Pvt. Ltd.

Rs.13,000.00

Rs.10,000.00

Chouraria Wire Netting Ind.

Rs.13,000.00

Rs.10,000.00

Rs.58,500.00

Rs.45,000.00

(B) Amount deposited with VIJAYA Bank (Separate) A/c. No. 11375 from March, 1996 to May, 1998 . In view of order dated 8.4.96 of the High Court:

Rent :for 244 Walltax RaodL/C 286Rs. 27,281.34

"L/C 287Rs. 47,351.25

"L/C 288 Rs. 46,237.50

"L/C 289Rs. 48,195.00

for 264 Walltax Road L/C 316 Rs. 7,762.50

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TotalRs.1,76,827.59

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As to the disputes referred to in para "A" above, we direct the tenant to furnish particulars of the cheques so that the landlord can verify and give a response. As to the disputes stated in para "B" it is pointed out that the tenant had an account in Vijaya Bank and therefrom pay orders have been issued which have been collected by the landlord in their account with India n Bank. Both the landlord and tenant shall ask their respective banks to certify the payment s/collections, if any, made, and the relevant information shall be furnished to this Court wit hin six weeks.

List for hearing thereafter.

(Ajay Kr. Jain)

(Radha R. Bhatia)

Court Master

Court Master