

ITEM NO.20

COURT NO.11

SECTION XIIA

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).21511/2013

(From the judgement and order dated 22/03/2013 in CRP No.1289/2007 of The HIGH COURT OF A.P AT HYDERABAD)

SUNIL KUMAR AGARWAL & ANR.

Petitioner(s)

VERSUS

MAHENDER KUMAR GANDHI & ORS

Respondent(s)

(With prayer for interim relief)

Date: 26/07/2013 This Petition was called on for hearing today.

CORAM : HON'BLE MRS. JUSTICE GYAN SUDHA MISRA
HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

For Petitioner(s) Mr. V.V.S. Rao, Sr.Adv.
Mr. Guntur Prabhakar, Adv.

For Respondent(s) Mr. Mukesh Verma, Adv.
Mr. Pawann Kumar Shukla, Adv.
Mr. Yash Pal Dhingra, Adv.
Mr. Pankaj K. Singh, Adv.

UPON hearing counsel the Court made the following
O R D E R

It was contended by learned senior counsel, appearing for the petitioners, Mr. Rao, that although a finding of fact has been recorded by the Court below that the petitioner has committed default in making the payment of rent, the same is perverse as notice was not required to be given by the tenant to the landlord regarding deposit of rent and, therefore, if he had deposited the rent as per the provision in the Statute, it was a valid deposit in terms of the provisions of the Act.

Issue notice. Further proceedings/execution of decree shall remain stayed until further orders.

(NAVEEN KUMAR)
COURT MASTER

(S.S.R. KRISHNA)
COURT MASTER