

ITEM NO.5

COURT NO.7

SECTION XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).7565-7566/2016

(Arising out of impugned final judgment and order dated 07-12-2015 in CMP No.18694/2014 and 07-12-2015 in CMP No.15463/2014 in CR No. 138/2014, passed by the High Court Of Himachal Pradesh At Shimla)

SHIV CHARAN DASS AND SONS THROUGH KARTA
AJAY KHANNA (D) By LRS. & ORS.

Petitioner(s)

VERSUS

RENU BALJEE & ORS.

Respondent(s)

WITH SLP(C) No. 10692-10694/2016 (XIV)
(WITH APPLN.(s) FOR SUBSTITUTION)

Date : 20-09-2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.A. BOBDE
HON'BLE MR. JUSTICE L. NAGESWARA RAO

For Petitioner(s) Ms. Shirin Khajuria, AOR

Mr. Amrendra Kumar Mehta, AOR

For Respondent(s) Dr. Rajeev Dhawan, Sr. Adv.

Mr. K.K. Khurana, Adv.

Mr. Amrendra Kumar Mehta, AOR

Mr. Adbhut Pathak, Adv.

Ms. Shirin Khajuria, AOR

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

These are the special leave petitions filed by the landlords and the tenants against the common impugned orders passed by the High Court of Himachal Pradesh.

The landlords are aggrieved by the amount which according to them, is meagre. The tenants are also aggrieved by the amount on

the ground that it is excessive.

We have heard learned counsel appearing for the parties and perused the record.

It is clear that the impugned order is an interim order and the revision is still pending before the High Court.

We are therefore not inclined to interfere with the impugned orders. Instead, we consider it appropriate that the revision petition itself be disposed of on its own merits within a period of nine months from the date a copy of this order be produced before the High Court. We order accordingly.

Undoubtedly, the final order will be passed by the High Court after hearing the parties afresh and taking into account the material produced by the parties in respect of use and occupation charges, and any other claims made by the landlords and tenants.

By mutual consent of the parties, we allow the interlocutory applications for substitution being I.A. No.1-3 in SLP(C) Nos.10692-10694 of 2016.

Cause title be amended accordingly.

With the aforesaid directions, the special leave petitions are disposed of.

As a sequel to the above, pending interlocutory applications, if any, stand disposed of.

(SANJAY KUMAR-II)
COURT MASTER (SH)

(MADHU NARULA)
BRANCH OFFICER