

Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 10972 of 2023

Petitioner :- Avadhpal Singh

Respondent :- Rajaram Sharma

Counsel for Petitioner :- Jitendra Singh, Ankit Sirohi

Counsel for Respondent :- Akhil Ranjan

Hon'ble Prakash Padia, J.

1. Heard learned counsel for the petitioner and Shri Akhil Ranjan, learned counsel for the respondent.

2. The present petition has been filed inter-alia with the prayer to set aside the impugned order dated 24.08.2023 passed in Eviction Suit SCC (Small Causes Case) No.4 of 2022 (Rajaram vs. Avadhpal Singh) under Section 15 of Small Causes Court Act by which the application filed by the petitioner dated 03.11.2022 under Order 7 Rule-11(D) of C.P.C., was rejected. With the further prayer to stay the further proceedings of Case No. SCC (Small Causes Case) No.4 of 2022 (Rajaram vs. Avadhpal Singh).

3. It is argued that application 20-C was rejected on the ground that Act, 2021 is not applicable to tenancies meant for Industrial use as per clause (C) of Section -2 of Uttar Pradesh Regulation of Urban Premises Tenancy Act, 2021 (hereinafter referred to as "Act of 2021").

4. Very recently the judgment has been delivered by this Court in the case of **Ratan Lal Jaiswal vs. Smt. Sunita Devi (S.C.C. Revision No. 62 of 2023)** decided on 24.07.2023 reported in **2023 (11) ADJ 389**.

5. After going through the aforesaid judgment, the Court is of the opinion that order passed by the District Judge, Meerut which is under challenged in the present petition is absolutely perfect and valid order and does not call for any interference by this Court. The application was rightly rejected, hence no case is made out for grant of interim protection.

6. Accordingly, the petition is **dismissed**.

7. Since the suit is filed in the year 2022, court below is directed to decide the same, expeditiously without granting any unnecessary adjournment to either of the parties.

Order Date :- 12.12.2023

Swati