

Court No. - 4

Case :- S.C.C. REVISION DEFECTIVE No. - 115 of 2023

Revisionist :- Sipahi Lal

Opposite Party :- Om Prakash Prajapati

Counsel for Revisionist :- Shashi Bhushan Mishra

Hon'ble Prakash Padia,J.

1. The present revision has been filed by the revisionist against the order dated 24.11.2021 and decree dated 03.12.2021 passed by the Civil Judge (Senior Division) Kanpur Dehat in Rent Case No.01 of 2016 (Om Prakash Prajapati Vs. Sipahi Lal).
2. After some arguments, the question has been arisen whether the revision is maintainable against the aforesaid order or not.
3. In this view of the matter, this Court requested to Sri Manish Tandon, Advocate to assist the Court. Thereafter, Sri Manish Tandon, Advocate go through the records.
4. After going through the record, Sri Manish Tandon, Advocate informed this Court that the revision is not maintainable against the order which are underchallenged and the appropriate remedy is available to the revisionist to file petition before this Court either under Article 226 of the Constitution of India or Article 227 of the Constitution of India since the proceedings are arising out of Section 21(1) of the Uttar Pradesh Urban Buildings (Regulation of Letting, Rent and Eviction) Act, 1972 (Act No.13 of 1972).
5. In this view of the matter, the present revision is dismissed with the liberty to file the petition.
6. Office is directed to return certified copy of the orders to the learned counsel for the revisions after retaining photo-copy of the same.
7. This Court appreciate the hard work, dedication and proper assistance of Sri Manish Tandon, Advocate being extended to this Court in the matter.