

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1930 of 2016**

Nilesh Kumar Tejadi S/o Shri Hashmukh Tejadi, Aged About 46 Years R/o Tikrapara, Bilaspur, Tahsil & District Bilaspur (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through : The Secretary, Law & Legislative Affairs, Mahanadi Bhawan, Mantralaya, Naya Raipur, Tahsil & District Raipur (Chhattisgarh)
2. The Rent Control Tribunal, Through Its Chairman, First Floor, Old R D A Building Shastri Chowk, Raipur, Tahsil & District Raipur (Chhattisgarh)
3. Smt. Pushpa Verma W/o Shri Laxmi Prasad Verma, R/o Torwa Basti, Bilaspur, Tahsil & District Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner	: Shri Sourabh Sharma, Advocate.
For Respondent/State	: Shri J.K. Gilda, Advocate General with Shri A.S. Kachhawaha, Additional Advocate General.
For Respondent No.3	: Smt. Meena Shastri, Advocate.

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice**Hon'ble Shri P. Sam Koshy, Judge.****Order on Board****Per Thottathil B. Radhakrishnan, Chief Justice****04/04/2017**

1. This writ petition is by the tenant against whom an order of eviction has been passed by the Rent Control Tribunal. That order was carried in appeal before the Tribunal. The appeal was barred by limitation of 30 days and therefore, seeks condonation of delay in filing the appeal. That application has been rejected. As a consequence, the Tribunal dismissed the appeal.
2. Having heard Learned Counsel for the Petitioner and Leaned Counsel for the contesting Respondent-landlord, we are satisfied that ends of justice would be secured, if the impugned order dismissing the appeal on delay is set aside and the delay is condoned on condition that the Petitioner-tenant pays the landlord an

amount of Rs.7,500/- as cost within a period of two weeks from today. If such amount is paid and proof of payment is produced before the Tribunal, the Tribunal shall take back the matter and decide it on merits treating that the delay is condoned by the effect of this order.

3. The writ petition ordered accordingly leaving open all the issues.
4. We also record the submission of Learned Counsel for the contesting Respondent that the Petitioner-tenant has actually vacated the premises and therefore, the Tribunal may expedite final disposal of the matter.

Sd/-

(Thottathil B. Radhakrishnan)
CHIEF JUSTICE

Sd/-

(P. Sam Koshy)
JUDGE

Anu