

1 16.9.2020

**SAT 99 of 2020
With
CAN 4215 of 2020
With
CAN 4216 2020**

**S. Ramanathan
Vs.
Smti. Saraswati & Ors.**

Mr. Gopala Binu Kumar For the Appellant.

Re: CAN 4215-16 of 2020

Mr. Kumar's submission is that the respondents have been duly served.

Such submission is accepted. None appears for them.

The only substantial point raised by Mr. Kumar is that the suit was barred by limitation.

There were two claims in the plaint. One was for arrear rent. The other was for possession.

Mr. Kumar's submission was that the suit was instituted after three years of the accrual of the cause of action for arrears of rent which was claimed in the suit.

S.D.

We notice that in the judgement and decree under appeal the respondents/plaintiffs had only been granted the relief of possession. Undisputedly the suit in

respect of possession was well within time.

We find no reason to admit the second appeal as no substantial question of law is raised.

In those circumstances, this appeal is not admitted and dismissed. The connected applications (CAN 4215 of 2020, CAN 4216 of 2020) are disposed of.

(I.P. Mukerji, J.)

(Saugata Bhattacharyya, J.)

