

Mahesh Kumar Modi Vs. Mahendra Kumar Jain

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Court : Madhya Pradesh

Decided On : Sep-24-2012

Appellant : Mahesh Kumar Modi

Respondent : Mahendra Kumar Jain

Advocate for Def. : Shri. K.L.Gupta

Advocate for Pet/Ap. : Shri. Sanjay K. Agrawal

Judgement :

S.A.No.664/2012 24.09.2012 Shri Sanjay K.

Agrawal, learned counsel for the appellant.

Shri K.L.Gupta, learned counsel for the respondent.

Heard on the question of admission.

This appeal is admitted on the following substantial questions of law : (i) Whether lower appellate Court was justified to decree the suit filed by the plaintiff on the ground of bona fide need without recording the finding to that effect and also without considering the cross- objection filed in this regard by the defendant, however, the judgment and decree passed by lower appellate Court is vitiated on this ground ?..

Let copy of appeal memo as well as questions of law be supplied to the other side.

Till final disposal of this appeal, interim order passed earlier shall remain in operation.

Considering the fact that that this appeal relates to eviction on the ground of bona fide need, however, list this appeal for final hearing in the month of November, 2012.

C.C.as per rules.

(J.K.Maheshwari) Judge ts.

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