

Appellant Vs. Respondent

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Court : Kolkata

Decided On : Aug-08-2014

Judge : Bench

Appellant : Appellant

Respondent : Respondent

Judgement :

APO325of 1999 W.P.674 of 1995 IN THE HIGH COURT AT CALCUTTA Civil Appellate Jurisdiction Original Side UNION OF INDIA & ORS.Versus SHAMBHULAL MANILAL & ORS.Appellants Respondents BEFORE: The Hon'ble CHIEF JUSTICE MRS.MANJULA CHELLUR The Hon'ble JUSTICE ASHIM KUMAR BANERJEE Date : 8th August, 2014.

For the Appellants : For the Respondents : THE COURT : Mr.Bhaskar Prasad Banerjee, Advocate Mr.P.K.Jhunhunwalla with Mr.N.S.Rudra, Advocates The respondents before the learned single Judge are before us aggrieved by the directions issued by the learned single Judge fixing the consolidated rate of rent at Rs.19,096/- per month from March 1994 onwards upto the current period and also regarding the directions for implementation of the recommendation of the Hiring Committee.

It is noticed from the records that the appeal came to be dismissed for non-prosecution and the matter was restored to file at the request of the appellants,

Union of India and others. During the course of submissions, learned counsel for the appellant submits, till the date of vacating the premises they had paid the rental charges.

According to the learned counsel for the respondents, the appellants had paid rent at lower than the rate allowed by the learned single Judge, but they had vacated the premises on 4th February, 1999.

As we are in 2014, if at all there is any claim against the appellants by the respondents herein, it is altogether a different course of action and not before this Forum.

In the present appeal, nothing need to be stated as the claims against each other have become stale.

Accordingly, the appeal is dismissed.

There will be no order as to costs.

So far as the recommendations of Hiring Committee to be implemented, the controversy is kept open to be decided at the relevant point of time in a given case.

(MANJULA CHELLUR, C.J.) (BANERJEE, J.) Rs.AR(CR)

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