

Smt. Milavi Devi

Vs

Dina Nath

Civil Appeal No. 224 of 1981

(P.N. Bhagwati, E.S. Venkataramiah JJ)

20.01.1981

ORDER

1. Special leave granted.

2. We are of the view that the appellant had sufficient cause for not filing the appeal before the Rent Control Tribunal within the period of limitation and hence the delay should have been condoned by the Rent Control Tribunal. We accordingly allow the appeal, set aside the order made by the Rent Control Tribunal as also the order of the High Court and remand the appeal to the Rent Control Tribunal and direct that the appeal may be heard on merits. The parties are directed to appear before the Rent Control Tribunal on February 2, 1981 and the Rent Control Tribunal is directed to dispose of the appeal within six weeks from today. There will be stay of dispossession in the meanwhile.

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