

HIGH COURT OF SIKKIM
Record of proceedings

I.A. No.01/2018

(Arising out of RFA No 02/2015)

RAM NARAYAN PRASAD

.... APPELLANT

VERSUS

BENU KUMAR MUKHIYA

.... RESPONDENT/
APPLICANT

Date:12.09.2018

CORAM

HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN, J.

For Appellant : Mr. Ranjit Prasad, Advocate.

For Respondent/ Applicant : Mr. K. T. Bhutia, Senior Advocate with Ms. Bandana Pradhan and Mr. Saurav Singh, Advocates.

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This is an application for release of an amount of Rs.4,24,000/- (Rupees four lakhs twenty four thousand) only deposited with the Registrar, High Court of Sikkim by the Appellant pursuant to the order dated 05.05.2017 passed by this Court in R.F.A. No 02 of 2015. The said RFA was dismissed by this Court vide judgment dated 22.05.2017 and SLP (C) No 24691/2017 was preferred by the Appellant which was also dismissed by the Supreme Court vide order dated 12.02.2018. Pursuant to the order dated 12.02.2018 passed by the Supreme Court an undertaking, it is said across the bar, was also given to the Supreme Court by the Appellant to the effect that he would handover vacant possession on or before 31.08.2018 and clear all the arrear of rent, if any. It has been informed that vacant possession has been handed over to the Respondent/Applicant and the dues of arrears of rent have also been paid.

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In view of the aforesaid, the application is allowed. The Registry may handover the amount of Rs.4,24,000/- (Rupees four lakhs twenty four thousand) only deposited vide order dated 05.05.2017 as outstanding rental amount payable by the Appellant to the Respondent/Applicant as per rules. The application stands disposed.

Judge
12.09.2018

tsh/ **Index: yes/No**
Internet: yes/No