IN THE HIGH COURT OF MADHYA PRADESH

AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

SECOND APPEAL No. 175 of 2014

BETWEEN:-

1. M/S KISHANCHAND NARSUMAL THRU. KISHANCHAND PROPRIETOR 101, PALSIKAR COLONY (MADHYA PRADESH)

2. MOHINI BAI W/O KISHANCHAND HABLANI, AGED ABOUT 76 YEARS, OCCUPATION: N 101 , 103 SNEH MENOR 77, SNEH NAGAR INDORE (MADHYA PRADESH)

.....APPELLANTS

(BY SHRI A. K. SETHI – SENIOR ADVOCATE WITH SHRI HARISH JOSHI - ADVOCATE)

AND

PANKAJ KUMAR S/O SHRI GOVARDHAN DAS AGARWAL, AGED ABOUT 61 YEARS, OCCUPATION: BUSINESS 39, AKSHAYA DEEP COLONY (MADHYA PRADESH)

.....RESPONDENT

(BY SHRI RADHE SHYAM YADAV - ADVOCATE)

.....

Reserved on : 20.07.2023

Pronounced on : 20.10.2023

.....

This appeal coming on for judgment this day, the court passed the following:

JUDGEMENT

Heard finally.

2] This second appeal has been filed under Section 100 of CPC against the judgement and decree dated 13.03.2014 passed by the 11th Additional District Judge, Indore in Civil First Appeal No.58/2013, by which the judgement and decree dated 16.07.2013 passed by the learned Class – I, Indore in COS No.99A/12 for eviction under Section 12(1)(d) and 12(1)(f) of the M.P. Accommodation Control Act, 1961 (in short 'the Act of 1961') was confirmed.

3] This appeal was admitted on 09.04.2015 on the following substantial questions of law:-

> **"(a) Whether the learned Courts below have erred in law in passing the decree for eviction under Section 12(1)(f) of the M.P. Accommodation Control Act. Although the respondent has sufficient accommodation available with him?**
>
> **(b) Whether the tenancy of the appellants was terminated by respondent as per requirements of law and hence decree for eviction is contrary to provisions of law?"**

4] Heard on **I.A. No.4833 of 2019** which is an application filed under Section 100 (5) of CPC for framing of additional substantial questions of law.

4.1] Shri Sethi, learned Senior counsel for the appellants has submitted that although the appeal has been admitted on the substantial questions of law involving Section 12(1)(f) of the Act of 1961, however, due to oversight, Section 12(1)(d) of the Act of 1961 could not be mentioned in it. Thus, it is submitted that additional substantial questions of law be also framed involving Section 12(1)(d) of the Act of 1961.

4.2] The prayer is opposed by the counsel for the respondent and it is submitted that no substantial question of law can be framed subsequently.

4.3] On due consideration of the application and on perusal of the record, it is found that an additional substantial question of law No.(c) would also be made out as under:_

> **"*(c). Whether, the facts and circumstances of the case, the learned Courts below were justified in passing a decree for eviction under Section 12(1)(D) of the Act of 1961*?"**

4.4] Accordingly, the appeal is also heard on the aforesaid substantial question of law.

INTERLOCULATORY APPLICATIONS.

5] Since there are as many as *four* Interlocutory Applications filed by the Appellants/defendant, either to bring additional documents on record or to amend the written statement, it is

necessary to decide the same before proceeding with the matter on merits. These applications are being decided as hereunder :-

5.1] Heard on **I.A. No.264 of 2015,** which is an application filed under Order 41 Rule 27 read with Section 151 of CPC to bring additional documents on record.

5.2] In the aforesaid application, it is stated by the appellants that the respondent had come out with a case that he does not owns and possesses any alternative accommodation and although it is mentioned that two Apartments No.301/309 and 201/210 at Bansi Palaza, admeasuring 581 square feet and 1100 square feet are jointly owned by the respondent with some other person, but it is stated that these two apartments are residential and due to non-availability of the space, he is using the same for non-residential purposes. It is also stated in this application that the respondent did not file any document to show that the said two apartments are of residential use. However, the aforesaid information has been obtained by the appellants subsequently during the pendency of this appeal and this information could not be obtained by him, despite due diligence. Thus, it is submitted that the aforesaid document demonstrating that the property is commercial, be taken on record.

5.3] A reply to the aforesaid application has also been filed opposing the same and it is stated that the plaintiff had disclosed all the facts in his plaint. So far as Flat No.301/309 Bansi Palaza is concerned, it belongs to Shri Umesh Kumar Khetaan. Its copy of sale deed is also placed on record, whereas Flat No.201/210 is concerned, in its sale deed it is clearly mentioned in para 9 of the

same that no machinery shall be installed in the said flat and on this condition only, the said flat has been purchased by the plaintiff from Umesh Kumar Khetaan. It is also stated that Flat No.201/210 is for commercial purposes, however, Flat No.301/310 is for residential purposes only and the plaintiff is using the aforesaid Flat for commercial purposes only in the name and style of Ankit Advertising. Copies of Municipal Corporation receipts have also been placed on record in which it is stated that the property is residential. However, when the property was used for commercial purposes, in the receipts of the Municipal Corporation, it was mentioned as the commercial use. Thus, it is submitted that the application be dismissed.

5.4] On due consideration of submissions, perusal of the documents filed on record, this Court does not find any substance in the application as all these documents, which the appellants has procured were already available in public domain and could have been filed earlier. However, merely saying that after exercise of due diligence, the same could not be obtained, is of no avail and Even otherwise also, the reply filed by the respondent/landlord appears more plausible, accordingly, the application I.A. No.264/2015 being devoid of merits, is hereby dismissed with **cost of Rs.10,000/-.**

6] Also heard on **I.A. No.5382 of 2019** which is an application to bring the map on record. It is submitted that the plaintiff had already applied for the construction of the building at Murari Mohalla for which, a map was also sanctioned, which clearly reveals that the suit premises for required by the plaintiff only for

construction of the building.

6.1] The application is opposed by the counsel for the respondent and it is submitted that the map was valid for three years only and construction could not be carried out not only due to lapse of time, but also on account of a dispute between the family members of the respondent/plaintiff.

6.2] On due consideration, there appears no substance in the application as mere planning of the use of the property in a particular manner which has not materialized, would not disentitle the landlord to evict a tenant on any ground available to him under the Act of 1961. Thus, there appears no substance in the application and the same is hereby dismissed with **cost of Rs.10,000/-**.

7] Also heard on **I.A. No.3461/2020**, which is an application filed under Order 6 Rule 17 read with Section 15 of CPC seeking amendment in the written statement stating that the respondent has already got one shop vacated through the judgement and decree of the Competent Court, which was rented to M/s. Rajaram Chhabildas & Company and the First Appeal has also been rejected by the High Court. Thus, it is stated that the requirement of the respondent has already come to an end. It is also stated that the plaintiff has already engaged in M/s. Siddhikripa Constructions Company's partner Rajesh S/o Premchand Goyal for construction of the building and thus, the aforementioned amendments have been sought in the written statement.

7.1] The application is opposed by the counsel for the respondent/plaintiff, and it is submitted that no such amendment can

be allowed at this stage, and such subsequent events cannot be a ground to amend the written statement. It is also submitted that merely a decree has been passed in favour of the respondent/landlord, the cause of action to file the suit cannot be taken away merely because of that as the plaintiff requires a larger area to commence his business which is also mentioned in the plaint itself.

7.2] On due consideration of submissions and on perusal of the documents filed on record, it is found that the aforesaid document is not relevant for the purposes of deciding this appeal as it is already stated by the plaintiff in para two of his plaint itself that he has three shops, and he is filing eviction suits against other two tenants also. It is also stated that against all the three tenants, the plaintiff has filed the suits for eviction as he requires all the three shops. In such circumstances, it cannot be said that merely because a decree of eviction has been passed in favour of the respondent/plaintiff for one of such shops, it would entail any benefit to the present appellants/tenant, as the plaintiff has clearly come out with a case that he requires all the three shops to commence his business.

7.3] In view of the same, the application being devoid of merits, is hereby dismissed with a cost of **Rs.10,000**/- as it is apparent that the appellants have tried to drag the matter for as long as the CPC permits them, and they have clearly misused the said procedure.

8] Also heard another **I.A. No.3469 of 2020**, which is an application filed under Order 41 Rule 27 read with Section 151 of CPC. This application has been filed to bring additional documents

on record stating that during pendency of this appeal on the basis of the judgement and decree passed by 11th Additional District Judge, an eviction decree has been passed against M/s. Rajaram Chhabildas & Co. and the First Appeal No.354 of 2015 has also been rejected by this Court, which was preferred by the tenant M/s. Rajaram Chhabildas & Co. and pursuant to that an execution petition was filed by the plaintiff and the possession warrant was executed and the actual possession of the shop has been delivered to the plaintiff on 02.08.2019. Since, it was subsequent events, the aforesaid document was not available on record, hence, could not be filed earlier. Thus, it is submitted that the aforesaid document be taken on record.

8.1] Counsel for the respondent/plaintiff has opposed the prayer.

8.2] On due consideration of submissions and on perusal of the documents filed on record, for the reasons assigned while deciding the IA No.3461, the present application is also dismissed with **a cost of Rs.10,000/- as it is apparent that the appellants have left no stone unturned to see to it that the matter drags on for years together, which is clearly misusing the provisions of CPC**.

FACTS IN BRIEF.

9] In brief, the facts of the case are that the respondent/plaintiff has filed a suit for eviction on 03.12.2010 under Sections 12(1)(d) and 12(1)(f) of the Act of 1961. The aforesaid suit has been decreed by the trial Court on both the grounds vide judgement and decree dated 16.07.2013 and the Regular First Appeal under Section 96 of

CPC was also dismissed by the District Appellate Court vide its judgement and decree dated 13.03.2014. Hence, this appeal.

SUBMISSIONS FOR THE APPELLANTS.

10] Senior counsel for the appellants has vehemently argued that both the Courts below have erred in not appreciating the evidence in its proper perspective. It is submitted that both the Courts have erred in holding that the respondent/plaintiff is not having any other alternative suitable non-residential accommodation to start his business in the City of Indore, despite the fact that the plaintiff has not even been able to prove that he is the owner of the property. It is also submitted that both the Courts have also erred in not considering the fact that one shop in House No.22/1, Murari Mohalla, Indore was suitably available in vacant condition as alternative accommodation. It is also submitted that the plaintiff has not pleaded that he is having no other alternative suitable non-residential accommodation in Indore. In such circumstances, only due to non-disclosure, the suit was liable to be rejected. In this regard, senior counsel has also relied upon a decision rendered by the this Court in the case of Raj Kumar Jain Vs. Smt. Usha Mukhariya reported as 2009 (1) MPLJ 343. Thus, it is submitted that in the absence of such pleadings, the suit for eviction on the ground of *bona fide* requirement cannot be decreed. It is also submitted that the learned Judge of the trial Court has erred in placing wrong burden of proof upon the appellants/defendant.

11] Senior counsel has also submitted that both the Courts below have also erred in not considering the fact that the main purpose of

the plaintiff was to reconstruct the shop along with his brother as he is also submitted that he was proposing to give newly constructed shop to the appellants.

12] It is also submitted that the shop in question measures 432 square feet, whereas the plaintiff has shown the requirement for opening the Printing Press business to be 2000 square feet and there is nothing on record to demonstrate that how the additional requirement would be met by the plaintiff which in itself is sufficient to hold that there was no need as claimed by the plaintiff to start his Printing business. It is also submitted that the termination of tenancy was also not in accordance with law.

13] Senior counsel has also submitted that both the Courts below have erred in relying upon the electricity bills Ex.P/1 to Ex.P/6 for granting decree for eviction under Section 12(1)(d) of the Act of 1961, whereas the statements of the defence witnesses have been ignored. Senior counsel has also submitted that both the Courts below have also erred in law in relying upon the report of the summons issued on 07.01.2011 that the shop is closed and locked for 4-5 years. It is also submitted that both the Courts have erred in placing reliance upon Ex.P/7 and Ex.P/9 for the purposes of granting a decree under Section 12(1)(d) of the Act of 1961. Thus, it is submitted the impugned judgement and decree be set aside and the appeal allowed.

SUBMISSIONS FOR THE RESPONDENT.

14] Prayer is opposed by the counsel for the respondent and it is submitted that no case for interference is made out and none of the

substantial questions of law as framed by this Court arise to the present appeal for the consideration of this Court. It is submitted that the plaintiff had clearly averred in the plaint that he has filed three suits for eviction for three different shops as he requires the same to start his business of Printing for which machines are to be installed. It is also submitted that the appellants/tenant is not using the shop since last round 8 years and the electricity bills always come with the endorsement that the shop is closed and apart from that even the eviction notice dated 02.10.2010 issued to the appellants/tenant came back with an endorsement of 'not known'. Thus, the defendant's tenancy has come to an end on 30.10.2010. Thus, it is submitted that all the three substantial questions of law as framed by this Court do not arise in this appeal.

FINDINGS AND CONCLUSION.

15] Heard counsel for the parties and perused the record.

16] From the record, this Court finds that the plaintiff has filed the civil suit for eviction clearly stating that he owns three shops at Murai Mohalla, which have been given to three different tenants and against the other two tenants also he is in the process of filing eviction suits. It is also found that so far as availability of alternative accommodation to the plaintiff is concerned, the plaintiff has averred that presently he is engaged in the advertising business, which is being run by him through Bansi Palaza, M.G. Road, Indore from Flat Nos.301 and 201. Plaintiff has stated that to start his business of Printing, he would require the ground floor shops, which have been given on rent by him and to vacate all three of

them, he has already filed the civil suits. Thus, it cannot be said that the plaintiff does not require the premises to start his Printing business. It is also apparent that that the business of Printing is also closely related to the business of advertising.

17] So far as first substantial question of law regarding the availability of the alternative accommodation is concerned, plaintiff has clearly stated in his plaint that he is also starting eviction proceedings against the other two shops which are also required by him to start his business of printing. He has also stated that since he has no other place to run his business he is presently working from two flats at Bansi Palaza for his Printing business. It is also found that although in his cross-examination, he has admitted that he is also running a business in name and style of Rudraksh Printers, but the said place is rented from his younger brother. It is also found that in his cross examination, the plaintiff has not even been asked whether he has any other suitable accommodation available in the city. In such circumstances, it cannot be said that there was any suppression on the part of the plaintiff or that he had no other reasonably suitable non-residential accommodation available with him.

18] So far as the decision relied upon by senior counsel for the appellants in the case of **Raj Kumar Jain Vs. Smt. Usha Mukhariya reported as 2009 (1) MPLJ 343** is concerned, in the aforesaid decision this Court has relied upon its finding on the decision rendered by the Supreme Court in the case of **Hasmat Rai and another Vs. Raghunath Prasad** reported as **AIR 1981 SC**

1711 = 1981 MPLJ (SC) 610. In the aforesaid decision of ***Hasmat Rai***, the Supreme Court has held as under:-

> **"6.** Section 12(1)(*f*) under which eviction of the tenant is sought by the landlord reads as under:
>
> > "That the accommodation let for non-residential purposes is required bona fide by the landlord for the purpose of continuing or starting his business or that of any of his major sons or unmarried daughters if he is the owner thereof or for any person for whose benefit the accommodation is held and that the landlord or such person has no other reasonably suitable non-residential accommodation of his own in his occupation in the city or town concerned."
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> In order to be able to seek eviction of a tenant under Section 12(1)(*f*) the landlord has not only to establish that he bona fide requires the accommodation let to the tenant for non-residential purposes for the purpose of continuing or starting his business but he must further show that the landlord has no other reasonably suitable non-residential accommodation of his own in his occupation in the city or the town concerned.
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> xxxxxxxxxxxx
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> **15.** The landlord wants to start his business as Chemists and Druggists. On his own admission he has in his possession a shop admeasuring 18 feet × 90 feet plus 7 feet × 68 feet forming part of the same building; the remaining small portion of 7 feet × 22 feet is occupied by the tenant. The landlord has not stated that so much space with 18 feet frontage is not reasonably suitable for starting his business as Chemists and Druggists. In that view of the matter the plaintiff's suit for eviction on the ground mentioned in Section 12(1)(*f*) must fail and this is being done by not disturbing any finding of fact but relying upon the admission of the plaintiff himself.
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> **16.** There is an error apparent on the face of the record inasmuch as when the High Court was faced with a dilemma whether the landlord required the whole of the building including demised premises now in possession of the appellants tenant for starting his business of Chemists and Druggists and when the High Court had before it an indisputable fact that the Respondent landlord has obtained vacant possession of a major portion of the building which was in possession of Goraldas

Parmanand, was it necessary for him to have any additional accommodation? The High Court got over this dilemma by observing and by affirming the finding of the subordinate courts that the remaining portion of the premises would be used by the landlord for his residence and even though the portion utilised for the purpose of running the business would be smaller compared to the one to be utilized for the residence it would still not be violative of sub-section (7) of Section 12 because such a composite user would not radically change the purpose for which the accommodation was let. This finding is contrary to record and pleadings. Minutely scanning the plaint presented by the landlord there is not the slightest suggestion that he needs any accommodation for his residence. He has not even stated whether at present he is residing in some place of his own though he claimed to be residing in the same town. He does not say whether he is under any obligation to surrender that premises. Section 12(1)(*e*) specifically provides for a landlord obtaining possession of a building let for residential purposes if he bona fide requires the same for his own use and occupation. But there is an additional condition he must fulfil namely he must further show that he has no other reasonably suitable residential accommodation of his own in his occupation in the city or town concerned. Utter silence of the landlord on this point would be a compelling circumstance for the court not to go in search for some imaginary requirement of the landlord of accommodation for his residence. In the context of these facts the trial court and the first appellate court committed a manifest error apparent on the record by upholding the plaintiff case by awarding possession also on the ground neither pleaded nor suggested. The landlord must have been quite aware that he cannot obtain possession of any accommodation for his residence. Therefore, the finding of the High Court and the courts subordinate to it that the Respondent landlord requires possession of the whole of the building including the one occupied by the tenant for starting his business as Chemists and Druggists as also for his residence is vitiated beyond repair. Once impermissible approach to the facts of the case on hand is avoided although facts found by the courts are accepted as sacrosanct yet in view of the incontrovertible position that emerges from the evidence itself that the landlord has acquired major portion of the building in which he can start his business as Chemists and Druggists he is not entitled to an inch of an extra space under Section 12(1)(*f*) of the Act.

(Emphasis supplied)

19] A perusal of the aforesaid finding recorded by the Supreme Court clearly reveals that what is the requirement of law is that apart from the *bona fide* requirements of the accommodation let to the tenant for non-residential purposes, It is also required for the landlord to show that he has no other *reasonably suitable non-residential accommodation of his own in his occupation* in the city or the town concerned, and in the present case, the respondent-landlord has clearly averred that he has three shops adjacent to each other, which he requires for his business purposes, and in such circumstances, non-mentioning of the shop which according to the plaintiff-landlord was not suitable and was not to his purpose, would not make any difference. In such facts and circumstances, the aforesaid decision as relied upon by the senior counsel for the appellants would not be applicable and is distinguishable.

20] The supreme court, in the case of ***Meenal Eknath Kshirsagar (supra)***, has held as under:-

> **"18.** In view of the rival submissions, what we have to consider is whether the appellate bench and the High Court applied the correct test while determining the question whether the appellants requires the suit premises bona fide and reasonably for her occupation. The fact that the appellants is the owner of the suit premises and that she does not own any other premises in the city of Bombay is not in dispute. She does not possess, even as a tenant, any premises in Bombay. No doubt, she would be entitled to stay in the premises of which her husband is a tenant but if for any reason her husband had parted with possession of such premises and the same were occupied by her husband's brother, it cannot be said that the said premises were available to her and by not

referring to those facts she had come to the Court with unclean hands and that by itself was sufficient to disentitle her from getting a decree of eviction. If the appellants believed that the 'Olympus' flat of which her husband was a tenant was not available for occupation as the same was vacated by her husband many years back and was occupied by Sridhar and his family and that it was not possible or convenient for her and her family to go and stay there, it was not absolutely necessary for her to refer to those facts in her plaint. It would have been better if she had referred to those facts but mere omission to state them in the plaint cannot be regarded as sufficient for disentitling her from claiming a decree for eviction, if otherwise she is able to prove that she requires reasonably the suit premises for her occupation. We are, therefore, of the opinion that the appellate bench and the High Court clearly went wrong in holding that the said omission was sufficient to disentitle her from getting a decree of eviction and it also disclosed that her claim was mala fide and not bona fide as required by law.

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20. As regards the 'Olympus' flat the evidence discloses, and it is not in dispute, that Eknath left that flat in October 1972 and since then only Sridhar and his family members have been staying in that flat. It is a two bedroom flat having an area of 1100 sq. ft. Sridhar has a wife and two children and the family of appellants also consists of four persons. In the suit for eviction filed by the landlady of that flat a partial decree has been passed and Eknath has been ordered to hand over half the portion of that flat. Both Eknath and landlady have challenged the said partial decree and their respective appeals are pending before the Appellate Court. In this context the courts had to consider whether it can be said that the appellants and Eknath are having suitable alternative accommodation and, therefore, the appellants's claim that she requires the suit premises for her occupation is not reasonable and

bona fide. The Appellate Bench and the High Court considered the possibility of Eknath going back to that flat and occupying it along with Sridhar and also the possibility that in case the landlady's appeal is dismissed and Eknath's appeal is allowed the flat in its entirety, will become available to Eknath and on that basis held that the appellants's claim that she requires the suit premises reasonably and bona fide is not true. As pointed out by this Court it is for the landlord to decide how and in what manner he should live and that he is the best judge of his residential requirement. If the landlord desires to beneficially enjoy his own property when the other property occupied by his as a tenant or on any other basis is either insecure or inconvenient it is not for the courts to dictate. Him to continue to occupy such premises. Though Eknath continues to be the tenant of the 'Olympus' flat, as a matter of fact, it is being occupied exclusively by Sridhar and his family since October 1972. For this reason and also for the reason that because of the partial decree passed against him Eknath is now entitled to occupy the area of 550 sq. ft. only, it is difficult to appreciate how the Appellate Bench and the High Court could record a finding that the 'Olympus' flat is readily available to the appellants's husband and that the said accommodation will be quite sufficient and suitable for the appellants and her family.

21. In view of the facts and circumstances of the case we are of the view that the appellants has proved her case of bona fide requirement and, therefore, the Small Causes Court was right in passing the decree in her favour. The Appellate Bench committed a grave error in reversing the same and the High Court also committed an error in confirming the judgment and order passed by the Appellate Bench. We, therefore, allow this appeal, set aside the judgment and order passed by the High Court and also by the Appellate Bench and restore the judgment and decree passed by the Small Causes Court. The respondents shall pay the cost of this appeal to the appellants."

(Emphasis supplied)

21] Thus, the substantial question of law No.1 is answered in favour of respondent/plaintiff and against the appellants/defendant.

22] So far as second substantial questions of law which relates to termination of tenancy as per law is concerned, the plaintiff had clearly stated that he had issued a notice to the defendant on 02.10.2010 for eviction, which came back with an endorsement of 'not known' on 04.10.2010, and thus, his tenancy has come to an end on 30.10.2010, and as the appellants has not vacated the premises, hence, the eviction suit has been filed. It is also found that no specific issue has been made in this regard as the appellants/defendant, apart from general denial, has also not raised this ground in its written statement that the tenancy was not terminated in accordance with law. Thus, the aforesaid substantial question of law is also answered in favour of the respondent and against the appellants.

23] So far as the third substantial question of law is concerned, regarding the eviction on the ground of Section 12(1)(d) of the Act of 1961, which prescribes that the plaintiff can seek the eviction on the ground that the accommodation has not been used without reasonable cause for which it was let, for a continuous period of six months immediately preceding the date of the filing of the suit for the recovery of possession thereof. In this regard a reference may be had to para 28 of the Appellate Court's judgement in which it is also stated that when the Court sent notice to the appellants' address, it came back with a tip that the shop is closed since last around 4-5

years. Apart from that, the notice issued by the plaintiff has also been returned with an endorsement of 'not known' and in the electricity bills also which have been filed as Ex.P/1 to P/6, in which it is mentioned that the premises is continuous locked from January, 2005 to 10.01.2010. Thus, it is apparently that the shop of the respondent was closed for a continuous period of more than five years. Thus, no illegality has been committed by both the Courts below in decreeing the suit under Section 12(1)(d) of the Act of 1961. Thus, the aforesaid substantial question of law is answered in favour of respondent/plaintiff against the appellants/defendant.

24] Accordingly, the appeal being devoid of merits, is hereby **dismissed**.

25] The aforesaid total cost of **Rs.40,000**/- shall deposited by the appellants in the account of President and Secretary H.C. Employees Union H.C. (Account No.63006406008, Branch Code No. 30528, IFSC No. SBIN0030528, CIF No. 73003108919) within a period of two weeks from today and obtain a receipt. The acknowledgement be filed before the Registry failing which, the Registrar is directed to list this matter before the Court after a period of one week so that appropriate action can be initiated to recover the amount from the appellants, in accordance with law.

(Subodh Abhyankar)
Judge

Pankaj