
(2024) 02 JH CK 0067

In the Jharkhand High Court

Case No : Civil Miscellaneous Petition No. 728, 729 Of 2011

Baban Singh

APPELLANT

Vs

Gopal Krishna Verma & Anr

RESPONDENT

Date of Decision : 26-02-2024

Acts Referred:

Citation : (2024) 02 JH CK 0067

Hon'ble Judges : Rajesh Shankar, J

Bench : Single Bench

Advocate : Mahesh Tewari, Anoop Kumar Sinha, Sachin Kumar

Judgement

Rajesh Shankar, J

1. Reference may be made to order dated 18.01.2024 which reads as under:

"No counter affidavit has yet been filed on behalf of the respondent No.2.

However, at the request of Mr. Gaurav Raj, A.C to Mr. Sachin Kumar, learned counsel for the respondent No.2, the said respondent is granted four weeks' more time by way of last indulgence to file counter affidavit.

Put up this case on 26.02.2024 under the heading "For Admission".

Till then, the interim order dated 30.11.2023 shall continue."

2. No counter affidavit has been filed on behalf of the respondent no. 2 as yet.

3. Mr. Sachin Kumar, learned counsel appearing on behalf of the respondent no. 2, submits that since the Jharkhand State Housing Board has to assist this Court only on the point of law, there is no such need of filing the counter affidavit on behalf of the said respondent.

4. The Court does not agree with the said submission of learned counsel for the respondent no. 2.

5. This Court discussed the issue involved in the writ petition in detail in order

dated 30.11.2023 and on perusal of paragraph-4 of the said order, it would appear that learned counsel for the respondent no. 2 had prayed for four weeks' time to file counter affidavit.

6. Under the said circumstance, three weeks more time is granted to the respondent no. 2 to file counter affidavit, failing which the said respondent shall pay a cost of Rs.3,000/- in favour of Advocate's Clerks Association Welfare Fund, Jharkhand High Court, Ranchi.

7. Put up this case on 04.04.2024 under the same heading.

8. Till then, the interim order dated 30.11.2023 shall continue.