

ITEM NO.10

COURT NO.9

SECTION XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).5653/2023

(Arising out of impugned final judgment and order dated 20-12-2022 in RFA No.6/2020 passed by the High Court of Sikkim at Gangtok)

KARMA PINTSO BHUTIA

Petitioner(s)

VERSUS

NARESH SUBBA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.59025/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH

SLP(C) No.5569/2023 (XIV)

(IA No.58233/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No.5685/2023 (XIV)

(IA No.59825/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 21-04-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Petitioner(s) Mr. Shyam Divan, Sr. Adv.
Mr. Samar Bansal, Adv.
Mr. Vedant Kapur, Adv.
Mr. Madhav Gupta, Adv.
Mr. Nagarkatti Kartik Uday, AOR

For Respondent(s) Mr. Dushyant Dave, Sr., Adv.
Mr. Pradeep Aggarwal, Adv.
Mr. Lal Pratap Singh, Adv.
Mr. Umesh Pratap Singh, Adv.
Mr. Arjun Aggarwal, Adv.
Mr. Bhaskar Aditya, Adv.
Mr. Vishal Singh, Adv.
Ms. Ruchi Kohli, AOR

UPON hearing the counsel the Court made the following

O R D E R

1. We have heard learned Senior Counsel appearing on behalf of the petitioner(s) as well as learned Senior Counsel, who appears

on caveat on behalf of the respondents, and carefully perused the material placed on record.

2. In our considered view, no case to interfere with the impugned judgment dated 20.12.2022, passed by the High Court of Sikkim: Gangtok, is made out.

3. The Special Leave Petitions are, accordingly, dismissed.

4. However, taking into consideration all the facts and circumstances of these cases, the petitioners are permitted to vacate the suit premises on or before 31.10.2023 subject to their filing an undertaking before the Court of Rent Controller at Gangtok, Sikkim that they shall handover peaceful vacant possession of the suit premises to the respondents on or before the above-mentioned date.

5. The petitioners shall not part with possession in favour of any third party.

6. As a sequel to the above, pending interlocutory applications also stand disposed of.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(PREETHI T.C.)
COURT MASTER (NSH)