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SLP(C)No. 1240 OF 2005
ITEM No.42

Court No.11

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.1240/2005

(From the judgement and order dated 24/12/2004 in WP 356/01
of The HIGH COURT OF UTTARANCHAL AT NAINITAL)

KISHORI LAL SAH (D) BY LRS. & ORS.

Petitioner (s)

VERSUS

MURARI LAL SAH

Respondent (s)

[With Appln(s). for exemption from filing O.T. and
with prayer for interim relief]

Date : 31/01/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH
HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner (s)Mr. Shrish Kumar Misra,Adv.

For Respondent (s)Mr. Pramod Dayal,Adv.

UPON hearing counsel the Court made the following

O R D E R

We have heard counsel for the petitioners. We find no merit in the Special Leave Petition. The same is accordingly dismissed.

However, counsel for the petitioners prayed for some time to vacate the premises.

We have heard counsel for the respondent-landlord on this question and he has left the matter to the discretion of this Court.

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Considering the facts and circumstances of the case, we are of the view that the petitioners may be given six months' time to vacate the premises. Accordingly, we grant time till 31st July 2005 to the petitioners to vacate the premises subject to their filing usual undertaking before this Court within a period of three weeks from today.

(Subhash Chander) (Asha Joshi)
Court Master Court Master