

ITEM NO.31

COURT NO.9

SECTION XI

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).1591-1592/2008

(From the judgement and order dated 10/12/2007 in CR No. 275/2003 and the final judgment and order dt.10.12.2007 in CR No.275 of 2003 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

M/S COMMERCIAL AUTO SALES(P) LTD.

Petitioner(s)

VERSUS

M/S AUTO SALES (PROPERTIES)

Respondent(s)

(With appln(s) for exemption from filing O.T. and permission to place addl. documents on record and with prayer for interim relief)

Date: 01/02/2008 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE TARUN CHATTERJEE

HON'BLE MR. JUSTICE D.K.JAIN

For Petitioner(s) Mr.Harish H.Salve, Sr.Adv.

Mr.Rajiv Dhawan, Sr.Adv.

Mr.Anurag Sharma, Adv.

Mr.Prashant Kumar, Adv.

For M/S. Ap & J Chambers,Adv.

For Respondent(s) Mr.Rakesh Dwivedi, Sr.Adv.

Mr.Arvind Varma, Adv.

Mr.Kavin Gulati, Adv.

Ms.Pallavi Gupta, Adv.

Mr. T. Mahipal,Adv.

UPON hearing counsel the Court made the following
ORDER

Issue notice.

Mr.T.Mahipal, advocate, accepts notice on behalf of the respondent.

In the meantime, there shall be stay of dispossession on conditions that the petitioner shall go on depositing the rent at the rate last paid by 15th of each succeeding month, the first of such deposit shall be paid or deposited on or before

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15th of February, 2008 and that the petitioner shall also deposit all arrears of rent and cost, if there be any and if not already deposited, within two months from this date. In default of any of the above conditions, the interim order as granted shall stand automatically vacated.

Three weeks' time is granted to file counter affidavit and three weeks' time thereafter is granted to file rejoinder, if any.

List the matters after summer vacation.

(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master