

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

I.A. NO.3 IN CIVIL APPEAL NO.6556 OF 2002

MOINUDDIN AHMAD

Appellant (s)

VERSUS

RAM BABU PRASAD

Respondent(s)

(For disposal of appeal and office report)

Date: 13/07/2007 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Appellant(s) Mr. Sanjay Parikh,Adv.

For Respondent(s) Mr. Bharat Sangal,Adv.

UPON hearing counsel the Court made the following
ORDER

Heard learned counsel for the parties.

The civil appeal is allowed, impugned orders are set aside and
suit for eviction is dismissed.

No costs.

[T.I. Rajput]
A.R.-cum-P.S.[Om Prakash]
Court Master[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTIONI.A. NO.3
IN
CIVIL APPEAL NO.6556 OF 2002Moinuddin Ahmad
...Appellant(s)

Versus

Ram Babu Prasad
Respondent(s)

...

O R D E R

Heard learned counsel for the parties.

The Trial Court decreed the suit for eviction on the
ground of bona fide necessity. When the matter was taken to

the High Court in revision, the same has been confirmed.
Thereafter, the present appeal has been filed by special leave.

Learned counsel appearing for the parties are in agreement that during the pendency of this appeal, the plaintiff-decree-holder has executed a registered sale deed in favour of the defendant-judgment-debtor in relation to the suit premises and, in view of this fact, the application has to be allowed.

Accordingly, the civil appeal is allowed, impugned orders are set aside and suit for eviction is dismissed.

No costs.

.....J.
[B.N. AGRAWAL]

.....J.
[P.P. NAOLEKAR]

New Delhi,
July 13, 2007.