

SUPR EME COUR T OF I ND I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).11680/2006

(From the judgement & order dated 11/11/2005 in CMWP No.42281/2005 of  
The HIGH COURT OF JUDICATURE AT ALLAHABAD)

KAMAL SONI Petitioner(s)

VERSUS

KAPOORI DEVI Respondent(s)

(With appln(s) for exemption from filing O.T.)

Date: 17/07/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE G.S. SINGHVI

For Petitioner(s) Mr. Puneet Jain,Adv.  
Ms. Archana Tiwari,Adv.  
Ms. Pratibha Jain,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following  
ORDER

Heard learned counsel for the petitioner.

We do not find any ground to interfere with  
the impugned order.

The special leave petition is, accordingly,  
dismissed.

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The petitioner is, however, granted time till  
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30 April, 2010, to vacate the premises in question  
upon filing usual undertaking in this Court within  
four weeks from today.

It is directed that in case the petitioner fails  
to vacate the premises in question within the  
aforesaid time, it would be open to the decree holder  
to file an execution petition for delivery of possession  
and in case such a petition has been already filed, an  
application shall be filed therein to the effect that the  
petitioner has not vacated the premises in question  
within the time granted by this Court. In either  
eventuality, the Executing Court is not required to  
issue any notice to the petitioner. The Executing

Court will see that delivery of possession is effected within a period of fifteen days from the date of filing of the execution petition or the application aforementioned. In case for delivery of possession any armed force is necessary, the same shall be deputed by the Superintendent of Police within forty eight hours from the date requisition is received therefor. It is also directed that in case anybody else, other than the petitioner, is found in possession, he shall also be dispossessed from the premises in question.

Needless to say that if the respondent feels aggrieved by this part of the order, it shall be open to her to seek its recall.

[ Alka Dudeja ]  
Court Master

[ Savita Sainani ]  
Court Master