

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2849 OF 2001

ISAB & ORS.

...APPELLANTS

VERSUS

JAN MOHAMMAD & Ors.

...RESPONDENTS

ORDER

1. Heard learned counsel for the parties.

2. In our view, this appeal is now concluded by the concurrent findings of fact arrived at by the High Court as well as by the tribunals below on the question whether the appellants were liable to pay batai or chakota under the Punjab Security of Land Tenures Act, 1953. After going through the judgment of the High Court as well as of the tribunals below, we do not find any infirmity in the said concurrent findings of fact recorded by the courts below. Accordingly, we are not inclined to interfere with the order passed by the High Court and the tribunals below.

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3. However, we direct that the appellants shall deliver peaceful vacant possession to the respondent by 31st of May, 2008 after filing usual undertaking within a fortnight from this date.

4. The appeal is thus dismissed. There will be no order as to costs.

.....J.
[Tarun Chatterjee]

New Delhi;
February 5, 2008.

.....J.
[H.S.Bedi]

ITEM NO.104

COURT NO.10

SECTION IV

ISAB & ORS.

Appellant (s)

VERSUS

JAN MOHAMMAD & ORS.

Respondent(s)

(With office report)

Date: 05/02/2008 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE TARUN CHATTERJEE

HON'BLE MR. JUSTICE H.S. BEDI

For Appellant(s)

Mr. Anil Kumar Sangal, Adv.

Mr. Nalin Sangal, Adv.

Ms. Bhakti Pasrija, Adv.

Mr. Deba Prasad Mohanty, Adv.

For Respondent(s)

Mr. B.K. Satija, Adv.

Ex-Parte

UPON hearing counsel the Court made the following
ORDER

The appeal is dismissed in terms of the signed order.

There will be no order as to costs.

(Satish K. Yadav)
Court Master

(Phoolan Wati Arora)
Court Master

(Signed Order is placed on the file)