



petitioner and Mr. Shiva Santanam Swami Nadhan, learned counsel for the respondents, and perused all the three orders. There is absolutely no scope for interference with the concurrent findings rendered by the courts below. We affirm the eviction orders passed by the High Court affirming the orders passed by the Appellate Authority and the Rent Controller. However, time is granted upto 31st January, 2007 to the petitioner to vacate and handover peaceful possession of the premises in question, subject to the

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filing of usual undertaking by the petitioner in this Court within four weeks from today.

The special leave petition is dismissed accordingly."

It appears that thereafter, in pursuance of the order passed by this Court, an undertaking was also filed on July 7, 2006. The tenant was to vacate on or before 31.1.2007. The premises, however, have not been vacated. Hence, Contempt Petition (C) No.52 of 2007 was filed. On April 30, 2007 notice was issued by this Court returnable within 3 weeks. Dasti, in addition, was also permitted.

It was stated at the Bar by the learned counsel for the tenant that so far the possession has not been handed over to the landlord. Ld. Counsel, however, has stated that according to his client, there were some understanding between landlord and tenant and that the premises will be vacated on or before 30th June, 2007. So far as learned counsel for the landlord is concerned, she stated that there is no such understanding between the parties.

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In view of this fact, this Court has finally passed the order and directed the tenant to vacate the premises on or before January 31, 2007. In view of the undertaking dated 7th July, 2006, in our opinion ends of justice would be met if we issue the following directions:-

1. The possession will be handed over, if necessary, by giving police protection to the landlord on or before May 31, 2007.

2. Notice for contempt as to why appropriate proceedings should not be initiated against the tenant for committing breach of undertaking given to this Court.

Contemnor should personally present in the Court on July 30, 2007. Further proceedings will be taken thereafter."

It was stated by the learned counsel for the respondent that respondent Mr. R.K. Nair is present in Court. Counsel further states that now the possession has already been handed over by the tenant to the landlord. Mr. R.K. Nair identified by the learned counsel has tendered as unconditional apology also before this Court stating that now he has handed over the possession.

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Since the possession has already been handed over by the tenant to the landlord and has tendered unconditional apology, no purpose would be served in keeping the matter pending. Hence, notice discharged. The contempt petition is disposed of.

.....J.  
[ C.K. THAKKER ]

.....J.

[ALTAMAS KABIR]

NEW DELHI,  
OCTOBER 01, 2007.