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C.A.No. 2153 OF 2000
ITEM No.108

Court No. 1

SECTION IVA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal NO. 2153/2000

M. ANANDI & ORS ...Appellant(s)

VERSUS

DEVI BAI (DEAD) BY LRS. & ORS.Respondent (s)
(With office report)

With Civil Appeal. 2154/2000

Date : 27/04/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

For Appellant (s)Mr. K.R. Nagaraja, Adv.
Ms. E.R. Sumanthy, Adv.

For Respondent (s)Mr. R.S. Hegde, Adv.
Mr. Savitri Pandey, Adv.
Mr. Chandra Prakash, Adv.
Mr. P.P.Singh, Adv.

Ms. N. Annapoorani, Adv.

UPON being mentioned by counsel the Court made the following
O R D E R

The appeals are dismissed in terms of the signed order.

(RAJESH DHAM) (VIJAY AGGARWAL)
COURT MASTER COURT MASTER

(signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2153 OF 2000

M. Anandi & Ors. ... Appellant

vs.

Devi Bai (Dead) by LRs. & Ors. ...Respondents

(with C.A. No. 2154/2000)

O R D E R

The High Court held the appellants to be unauthorised occupants of the suit property belonging to the respondents. The plea of the appellants that they were the tenants or sub-tenants has been negatived. After hearing the learned counsel for the parties, we are not inclined to take a different view of the finding of the fact arrived at by the High Court. The judgment of the High Court is not liable to be interfered with, in our opinion.

The appeals are dismissed. However, in view of the fact that the appellants have been in occupation of the suit premises for long time and also running a restaurant therein and would need a reasonable time for finding out a place to shift, they are allowed time till 30th June, 2006 for vacating the suit property and delivering peaceful and vacant possession thereof to the plaintiff-respondents. The appellant shall file the usual undertaking before the trial court within a period of six

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weeks and shall continue to pay charges for use and occupation at the same rate at which they have been paying previously. If the appellant fails to file the undertaking within six weeks, the decree shall be available for execution forthwith.

.....CJI (R.C. LAHOTI)

.....J
(P.K. BALASUBRAMANYAN)

New Delhi;
April 27, 2005.