

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

IA 6-7 in CIVIL APPEAL NO. 1082 OF 2006

UPENDRA NATH

Appellant (s)

VERSUS

RADHEY SHYAM RAWAT

Respondent(s)

(for restoration and exemption from filing OT and office report)

with I.A. NO. 2 in SLP (C.) No. 20116/2006

UPENDRA NATH VS. RADHEY SHYAM RAWAT

(for restoration and office report)

Date: 26/07/2010 This Appeal/SLP was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU

HON'BLE MR. JUSTICE T.S. THAKUR

For Appellant(s)

Ms. Sandhya Goswami, Adv.

Mr. P.S. Tomar, Adv.

Mr. Jabar Singh, Adv.

For Respondent(s)

C.A. 1082/2006

Mr. Manoj Swarup, Adv.

Ms. Lalita Kohli, Adv.

Mr. Abhishek Swarup, Adv.

for M/S Manoj Swarup & Co.

SLP(C) 20116/2006

Ms. Pragati Neekhara, Adv.

Mr. Suryanarayana Singh, Adv.

Mr. Karan Dewan, Adv.

:1:

UPON hearing counsel the Court made the following

O R D E R

Applications for restoration are allowed. The Appeal and the Special Leave Petition are restored to their original numbers.

The Appeal and the Special Leave Petition are dismissed.

However, appellant/petitioner is granted six months' time from today to vacate the premises in question subject to his filing usual undertaking before this Court within six weeks.

(Rajesh Dham)
Court Master

(Indu Satiya)
Court Master

(signed order is placed on the file)

:2:
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

IA 6-7
in
CIVIL APPEAL NO. 1082 OF 2006

UPENDRA NATH

Applicant(s)/ Appellant (s)

VERSUS

RADHEY SHYAM RAWAT

Respondent(s)

with

I.A. NO. 2 in SLP (C.) No. 20116/2006

O R D E R

Vide order dated 08.04.2010 this Court had dismissed the Appeal and the Special Leave Petition in default. These interlocutory applications have been filed for restoration of the said Appeal and the Special Leave Petition.

We allow the applications for restoration.

Hence, the Appeal and the Special Leave Petition are restored to their original numbers.

Having heard the learned counsel for the parties and perused the records, we find no merit in the Appeal and the Special Leave Petition which are accordingly dismissed.

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However, appellant/petitioner is granted six months' time from today to vacate the premises in question subject to his filing usual undertaking before this Court within six weeks.

.....J.
(MARKANDEY KATJU)

.....J.

(T.S. THAKUR)

NEW DELHI
JULY 26, 2010.

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