

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

Petition(s) for Special Leave to Appeal (Civil) No(s).31706/2012

(From the judgement and order dated 07/12/2011 in SA No.310/2003 of The HIGH COURT OF JUDICATURE AT ALLAHABAD, BENCH AT LUCKNOW)

MUNEER AHMAD ALIA MARRU

Petitioner(s)

VERSUS

ZAREENA BEGUM

Respondent(s)

Date: 05/11/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Petitioner(s) Ms.Swati, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

This petition is directed against judgment dated 07.12.2011 of the learned Single Judge of the Allahabad High Court, whereby he dismissed the second appeal filed by the petitioner and approved the judgment of the lower appellate Court which had dismissed the appeal filed by the petitioner.

We have heard learned counsel for the petitioner and carefully perused the record.

In our view, the concurrent finding recorded by the trial Court and the lower appellate Court that the petitioner had defaulted in payment of rent was based on correct analysis of the pleadings of the parties and evidence produced by them and the High Court did not commit any error by refusing to interfere with the same.

The special leave petition is accordingly dismissed.

However, three months' time is allowed to the petitioner to vacate the suit premises. This would be subject to his filing usual undertaking in this Court within four weeks from today. The petitioner shall hand over vacant possession of the suit premises to the respondent on or before 28.02.2013.

During the intervening period, the petitioner shall not induct any person in the suit premises in any capacity whatsoever else he shall have to suffer proceedings under the Contempt of Courts Act, 1971.

(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master