

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.9811/2000

(From the judgement and order dated 28/04/2000 in CRP 1113/00 of The HIGH COURT OF MADRAS)

A.S. UMASHANKAR Petitioner (s)

VERSUS

BURHAN R. MOTIWALA & ANR. Respondent (s)
(With prayer for interim relief)
(With Office Report)
(With Appln(s). for urging addl. grounds&exemption from filing O.T. and taking addl. documents on record)

Date : 03/11/2000 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s) Mr. E.C. Agrawala,Adv.
Mr. Rishi Agrawala,Adv.

For Respondent (s) Mr. Gopal Subramanian,Sr.Adv.
Mr. S. Muralidhar,Adv.
Mr. S. Vallinayagam,Adv.

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

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Learned counsel for the petitioner submitted that during the pendency of these proceedings landlord got vacant possession of the 1st floor of the same building having a space of about 1000 sq. feet. Mr. Gopal Subramanian, learned senior counsel submits that landlord agrees to give that area on the 1st floor to the petitioner by way of compromise on his evicting the suit premises on the ground floor. We permit the petitioner to occupy the vacant 1st floor space on a monthly ..2/-

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rent of Rs. 6,000/-. This rent is fixed without prejudice to the right of the parties to apply for fixation of fair rent. With this arrangement the Special Leave Petition is disposed of.

The above arrangement is subject to a further condition that petitioner should vacate from the ground floor premises on or before 31.12.2000, failing which he will forfeit the benefit granted to him and the landlord will be entitled to execute the

decree for eviction.

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(N.K. GOEL)

(H.K. BHATIA) @@

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