

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).12460/2013
(From the judgement and order dated 13/02/2013 in CRA No.375/2009 of The
HIGH COURT OF BOMBAY)

ISMAIL PEERU POWER

Petitioner(s)

VERSUS

REGUNATH KOREGA SHETTY & ORS.
(With prayer for interim relief)

Respondent(s)

Date: 22/03/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Petitioner(s) Mr. H.L. Tiku, Sr. Adv.
Mr. Thakur Sumit, Adv.
Mr. Shubhankar Sengupta, Adv.
Mr. Ashok K. Mahajan, Adv.

For Respondent(s) Mr. Gaurav Agrawal, Adv.

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

Heard.

We see no reason to interfere with the impugned order. The special leave petition is accordingly dismissed. The petitioner is however granted time till 31.07.2014 to vacate the premises subject to the following conditions:

- . 1) The petitioner files an undertaking on usual terms in this court within a period of four weeks from today.
- . 2) The petitioner continues to pay/deposit before the trial court compensation for use and occupation of the premises at the rate of Rs. 2000/- per month.

. We make it clear that the petitioner shall be free to remove all merchandise, stock in trade, fixtures and fittings from the suit premises before handing over the vacant possession of the premises to the plaintiff - respondents, who shall have no claim, interest or charge over the such merchandise, stock in trade, fixtures and fittings etc.

In case the needful is not done or any default committed in complying with the above directions the decree shall become executable with immediate effect.

| (N.K. GOEL)
| COURT MASTER

| | (VEENA KHERA)
| | COURT MASTER

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