

ITEM NO.2

COURT NO.10

SECTION XI

## 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).10642/2005

(From the judgement and order dated 18/11/2004 in CMWP No. 35823/1994 of The  
HIGH COURT OF JUDICATURE AT ALLAHABAD)

NAGAR PALIKA PARISHAD PILKHUWA, GHAZIABAD

Petitioner(s)

VERSUS

TRUST DHARAMSHALA GANGA SAHAI

Respondent(s)

(With appln(s) for clarification/modification of court's order and with prayer for  
interim relief and office report)

(For final disposal)

Date: 08/05/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

For Petitioner(s)

Mr. Dinesh Kumar Garg, Adv.

Mr. Manzoor Ali Khan, Adv.

For Respondent(s)

Mr. Sudhir Kumar Gupta, Adv.

UPON hearing counsel the Court made the following

O R D E R

Having heard learned counsel on both sides, having taken note

of all the facts and circumstances of the case and also keeping in

view the interim order passed by this Court while entertaining this

petition, we are of the view that it is a fit case where we should

exercise our jurisdiction under Article 136 of the Constitution of

India only to the extent of reducing the rent to be paid by the

petitioner to the respondent, Rs.1500/- per month in the place of

Rs.2083.30p. now fixed by the order under challenge.

Thus, the order under challenge is modified by fixing the

rent at Rs.1500/- month. The arrears of rent till date based on the

rent should be made up and paid by the petitioner to the respondent

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within three months from this date. This order is not be treated as

a precedent and is based only on the facts of this case.

The special leave petition is disposed of accordingly.

(A.D. Sharma)

(Phoolan Wati Arora)

Court Master

Court Master