

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).10994 OF 2004
(From the judgement and order dated 03/03/2004 in CR No. 618/2003 of HIGH
COURT OF JUDICATURE AT ALLAHABAD)

M/S. CHHEDI LAL DINESH KUMAR

Petitioner(s)

VERSUS

GOVIND BHAWAN KARYALAY

Respondent(s)

(With prayer for interim relief)for final disposal)

Date: 20/01/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. VENKATARAMA REDDI

HON'BLE MR. JUSTICE A.K. MATHUR

For Petitioner(s)Mr. Uday Umesh Lalit, Sr. Adv.

Mr.Rohan Kawani, Adv.

Mr. Joseph Pookkatt, Adv.

Mr. Prashant Kumar,Adv.

For Respondent(s)Mr. Gopal Subramaniam, Sr. Adv.

Mr. Dhruv Mehta, Adv.

Mr. Mohit Chaudhary,& Harsh Vardhan Jha, Advs.for

M/S K.L. Mehta & Co.

UPON hearing counsel the Court made the following

O R D E R

Heard learned senior advocates appearing for the parties and we are unable to see any legal in firmity both on the question whether the plaintiif-Trust is the landlord or the Geeta Press is the landlord and on the question whether the plaintiff-Trust is a public charitable instituti on.

The view taken by the High Court cannot be faulted at any rate and we are therefore not inclin ed to interfere with the impugned order of the High Court under Article 136 of the Constitutio n. The special leave petition is dismissed. However, in the facts and circumstances, one years ' time is granted for vacation of the premises subject to the petitioner filing the usual unde rtaking with the Registry of this Court within four weeks' from today.

(Meenu Sethi)

Court Master

(Promila Nagpal)

Court Master