

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

I N D I A

Petition(s) for Special Leave to Appeal (C)

No(s). 18468/2013

(Arising out of impugned final judgment and order dated 24/07/2012
in CRP No. 299/2012 passed by the High Court Of Kerala At
Ernakulam)

K. BHAGIRATHI G. SHENOY & ORS.

Petitioner(s)

VERSUS

SARASWATHI & ORS.
(With interim relief and office report)

Respondent(s)

Date : 25/08/2014 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAMAJIT SEN
HON'BLE MR. JUSTICE R.K. AGRAWAL

For Petitioner(s)

Ms. Kiran Suri, Sr. Adv.
Dr. (Mrs.) Vipin Gupta , Adv.
Mr. S.J. Amith, Adv.

For Respondent(s)

Mr. S. N. Bhat , Adv.

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

Leave granted.

The impugned order is set aside. There shall be no
order as to costs.The Appeal is allowed in terms of the signed order
placed on the file.(SUMAN WADHWA)
AR-cum-PS(TAPAN KUMAR CHAKRABORTY)
COURT MASTER

Signature Not Verified

Digitally signed by

(SIGNED ORDER IS PLACED ON THE FILE)

Suman Wadhwa
Date: 2014.09.01
10:26:30 IST
Reason:IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTIONCIVIL APPEAL NO. OF 2014
(ARISING OUT OF SPECIAL LEAVE PETITION (C) NO. 18468/2013)

K. Bhagirathi G. Shenoy & Ors.

Appellant (s)

VERSUS

Saraswathi & Ors.

Respondent(s)

O R D E R

Leave granted.

In this case the Respondents have already been evicted from the tenanted premises. Inasmuch as the order permits the erstwhile tenant to be impleaded in the execution proceedings and/or to file fresh execution proceedings, no useful purpose will be served except to continue vexatious legal proceedings. We are satisfied that the condition need not be imposed on the parties. Accordingly, the impugned order is set aside. There shall be no order as to costs.

The Appeal is allowed in these terms.

.....J.
(VIKRAMAJIT SEN)

.....J.
(R.K. AGRAWAL)

New Delhi;
Date: 25.8.2014.