

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.8147 OF 2014

(Arising out of SLP(C) No.19245 of 2013)

SAROJ KUMAR JAISWAL(D) TR.LRS. . . . .APPELLANT(S)

VERSUS

SURESH CHANDRA & ANR . . . . .RESPONDENT(S)

O R D E R

Leave granted.

We have heard learned counsel for the parties.

Learned counsel appearing for the respondents, however, submits that the respondents are ready to continue the possession of suit premises on payment of enhanced rent.

It appears that the appellants-landlords have right, title and interest in the suit premises and are entitled to take possession of it for their *bona fide* requirement. It is a fit case where the impugned order dated 20.12.2012 passed by the High Court should be interfered with.

In the facts and circumstances of the case and after perusal of the record, we allow this appeal and set aside the impugned order passed by the High Court.

Learned counsel appearing for the respondents submits that at least a period of one year be allowed to continue the possession of the suit premises subject to payment of enhanced rent to the appellants.

In order to meet the ends of justice, we allow six months' time to the respondents to vacate the suit premises on or before the expiry of six months from today on payment of Rs.500/- per month for the use and occupation of it and also on filing usual undertaking in this Court within four weeks from today.

.....J  
[M. Y. EQBAL]

.....J  
[PINAKI CHANDRA GHOSE]

NEW DELHI;  
AUGUST 22, 2014.

ITEM NO.41

COURT NO.13

SECTION XI

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 (C) No(s).19245/2013

(Arising out of impugned final judgment and order dated 20/12/2012 in CMWP No.8017/2003 passed by the High Court Of Judicature At Allahabad)

SAROJ KUMAR JAISWAL(D) TR.LRS.

Petitioner(s)

VERSUS

SURESH CHANDRA &amp; ANR

Respondent(s)

Date : 22/08/2014 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.Y. EQBAL

HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

For Petitioner(s) Mr. T. N. Singh ,Adv.  
Mr. V.K. Singh, Adv.

For Respondent(s) Mr. Nitin Jain, Adv.  
Mr. Ansar Ahmad Chaudhary ,Adv.

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

Leave granted.

This appeal is allowed in terms of the signed order.

(SANJAY KUMAR)  
COURT MASTER

(SNEH LATA SHARMA)  
COURT MASTER

(Signed Order is placed on the file)