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ITEM NO.41

COURT NO.3

SECTION XVI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

IA Nos.1-9 in and
Petition(s) for Special Leave to Appeal (Civil)...../2012
CC 22301/2012

(From the judgement and order dated 06/02/2012 in SA No.113/2007, of The
HIGH COURT OF CALCUTTA)

MADAN MOHAN DAS (D) THRU. LRS. & ORS. Petitioner(s)

VERSUS

RAKESH CHOWRISHIA Respondent(s)

(With appln(s) for permission to file SLP,substitution,c/delay in filing
substitution appln. and office report)

Date: 06/05/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI
HON'BLE MR. JUSTICE SHARAD ARVIND BOBDE

For Petitioner(s) Mr. A.K. Oandey, Adv.
Mr. Amresh Kumar, Adv.
Ms. K.V.Bharathi Upadhyaya,AOR

For Respondent(s) Mr. Dinesh Rajpurohit, Adv.
Mr. Manish Garani, Adv.
Mr. Himanshu Munshi,AOR

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

Delay condoned. Substitution allowed and the legal
representatives of the deceased petitioner are allowed to file the
special leave petition.

The special leave petition is dismissed.

However, three months' time is allowed to the petitioners
to vacate the suit premises and hand over possession thereof to the
landlord subject to their filing an usual undertaking in this Court
within a period of four weeks.

It is made clear that during the intervening period, the
petitioners shall not induct any other person in the suit premises
in any capacity whatsoever or create third party rights in any
manner else they will make themselves liable to be punished under
the Contempt of Courts Act, 1971.

The Registry is directed to forward a copy of this order to
the respondent-landlord by registered post at the address mentioned
in the memo of the special leave petition.

| (Parveen Kr.Chawla)
| Court Master
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| | (Phoolan Wati Arora)
| | Court Master
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