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SLP(C)No. 12115 OF 2003

ITEM No.29

Court No. 6

SECTION IX
A/N MATTER

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.12115/2003

(From the judgement and order dated 19/06/2003 in WP 3503/03
of The HIGH COURT OF JUDICATURE AT BOMBAY)

PIRAMAL HOLDINGS LTD.

Petitioner (s)

VERSUS

MANDATASINGHJI @ MAYUR RAJA

Respondent (s)

(With prayer for interim relief)

Date : 16/01/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s)

Mr. P. Chidambaram, Sr. Adv.
Mr. Parimal K. Shroff, Adv.
Mrs. Vanita Bhargava, Adv.
Ms. Bina Gupta, Adv.
Ms. Nina Gupta, Adv.

For Respondent (s)

Mr. R.F. Nariman, Sr. Adv.
Mr. Nikhil Sakhardande, Adv.
Mr. Jagdish Karia, Adv.
Mr. S.Y. Chitale, Adv.
Mr. Abhijat P. Medh, Adv.

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

Having heard the learned counsel for the parties, in the light of the order made by us on 28.7.2003 as regards the possibility of partial eviction, we are satisfied that the impugned order does not call for interference. Hence, the Petition is dismissed.

At this stage learned counsel for the petitioner submitted that four months' time may be granted for vacating flat no. 12 and 13 months' time may be granted for vacating flat no.11. Learned counsel for the respondent submitted that any reasonable time may be granted subject to usual undertaking to be filed not only by the

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petitioner-company but also by the occupants of the flats as well.

In the facts and circumstances of the case, we grant time to the petitioner and named occupant to vacate flat no. 12 along with the garage till 31st March, 2004 and flat no. 11 along with the garage till 15th November, 2004 subject to the petitioner and the named occupants in the flats filing usual undertaking in this Court within four weeks.

Neelam(SHELLY SENGUPTA)
COURT MASTER

