

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).23095/2008

(From the judgement and order dated 15/04/2008 in IA No.1/2008
in CRP No.763/2005 of The HIGH COURT OF KARNATAKA AT BANGALORE)

K.K.BHATHA

Petitioner(s)

VERSUS

REDDY JANASANGHA

Respondent(s)

(With prayer for interim relief)

With S.L.P. (C) No.20983 of 2008
(With office report)

S.L.P. (C) No.20993 of 2008

S.L.P. (C) No.23096 of 2008
(With office report)

S.L.P. (C) No.23097 of 2008
(With prayer for interim relief and office report)

S.L.P. (C) No.23098 of 2008
(With office report)

S.L.P. (C) No.23099 of 2008
(With office report)

S.L.P. (C) No.24138 of 2008

Date: 20/10/2008 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL
HON'BLE MR. JUSTICE G.S. SINGHVI

For Petitioner(s) Mr. P.S. Narasimha, Adv.
Mr. Shekhar G. Devasa, Adv.
Mr. Shakeel Ahmed, Adv.
Mr. Aribam Guneshwar Sharma, Adv.

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For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

Heard learned counsel for the petitioners.

We do not find any ground to interfere with the impugned
orders.

The special leave petitions are, accordingly, dismissed.

The petitioners are, however, granted time till 31st January, 2009, to vacate the premises in question upon filing usual undertaking in this Court within four weeks from today.

It is directed that in case the petitioners fail to vacate the premises in question within the aforesaid time, it would be open to the decree holders to file execution petitions for delivery of possession and in case such petitions have been already filed, an application shall be filed therein to the effect that the petitioners have not vacated the premises in question within the time granted by this Court. In either eventuality, the Executing Court is not required to issue any notice to the petitioners. The Executing Court will see that delivery of possession is effected within a period of fifteen days from the date of filing of the execution petitions or the applications aforementioned. In case for delivery of possession any armed force is necessary, the same shall be deputed by the Superintendent of Police within forty eight hours from the date requisition is received therefor. It is also directed that in case anybody else, other than the petitioners, is found in possession, he shall also be dispossessed from the premises in question.

Needless to say that if the respondents feel aggrieved by this part of the order, it shall be open to them to seek its recall.

[T.I. Rajput]
A.R.-cum-P.S.

[Savita Sainani]
Court Master