

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

IA No. 1-3

in

Special Leave Petition (C) Nos. 18892-18894 of 2013

HOMELINKS EXHIBITION
REP. BY PROPRIETOR

Petitioner

VERSUS

M/S ARASU ENTERTAINMENT EXHIBITION
ORGANISER .& ORS.

Respondents

O R D E R

These are applications with a simple prayer that the petitioner be given more time for removal of the fixtures and materials which were erected for running the trade fair on the ground in question. The counsel for the contesting respondents admitted that the possession of the land in question has already been handed over to them but according to their averment, the articles which were lying on the trade fair ground has already been removed by the petitioner who was previously running the trade fair. However, learned counsel for the petitioner has further submitted that the possession although has been handed over to the respondent and they are no longer running the trade fair on the ground, the articles which were lying there viz. giant wheels, stages, stalls, pavillions, water tanks, fire safety equipment are yet to be removed for which they need some time.

We see no reason to reject this prayer as it is obvious that after leaving the ground, the respondents although are free to start their trade fair on the ground which has been handed over to them, they have no reason to retain the articles used in the trade fair by the applicant-petitioner.

The petitioner, therefore, cannot be deprived of his belongings which were on the ground as it is not in dispute that the articles do not belong to the respondents which are lying there.

Under the circumstance, we permit the applicant-petitioner to remove his articles which are lying on the trade fair ground within a period of 10 days, which shall expire on 12.06.2013. It is made clear that on the pretext of removing the articles from the premises, the petitioner will not be allowed to continue with the trade fair activities further and shall also not create any obstruction in the activity of the respondent who are running their venture/trade fair. The respondent shall be at liberty to start their trade fair on the ground in question but shall not deprive the petitioner from removing his articles.

