



CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5876 OF 2000@@  
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M/s. Alembic Chemical Works Company Limited .... Appellant

Versus

Bank of India & Anr. .... Respondents

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Heard the learned counsel on either side.

We are not satisfied with the challenge made to the order of the High Court and are of the view that the order under challenge does not suffer any infirmities in law or otherwise, to call for our interference in this appeal. The appeal is dismissed.

The learned counsel for the appellant seeks sufficient time for vacating and handing over vacant possession, preferably at least one year, which claim was not agreeable to the respondents. But keeping in view the fact that the appellant has been in the possession of the property for quite some time and it has to arrange for shifting it to some other place, we consider it appropriate and it would be in the interest of justice also if some time is granted viz., till 31st December, 2003 and no more. The

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appellant shall deliver the vacant and peaceful possession on or before 31st December, 2003. The time granted would be subject to the condition that they file the usual undertaking and continue to make all payments due from them to the respondent. The affidavit of undertaking shall be filed in this Court within four weeks from today.

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.....J.  
( DORAISWAMY RAJU )

.....J.  
( D.M. DHARMADHIKARI )

New Delhi,

April 02, 2003.