´ITEM NO.5 COURT NO.2 SECTION XIV

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(s).17318/2012
(From the judgement and order dated 11/05/2012 in CMM No.1245/2011
of The HIGH COURT OF DELHI AT N. DELHI)

S.C.SHARMA & CO.P.LTD. Petitioner(s)
VERSUS
ATMA RAM BUILDERS P.LTD. Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment,permission to file synopsis and list of dates and prayer for interim relief))

Date: 18/05/2012 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE DEEPAK VERMA
HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA
(VACATION BENCH)

For Petitioner(s) Mr. Mukul Rohatgi, Sr. Adv.
Mr. Abhay Kumar, Adv.
Mr. Rajesh Anand, Adv.
Mr. Ruepsh Kr. Pandey,Adv.

For Respondent(s) Mr. Pramod Swarup, Sr. Adv.
Mr. Bimal Roy Jad,Adv.
Mr. Amit Sethi, Adv.

UPON hearing counsel the Court made the following

O R D E R

After having heard learned senior counsel for the petitioner and perusal of the record, we are of the considered opinion that no case for interference against the impugned order is made out. Special leave petition is accordingly dismissed.

However, looking to the facts and features of the case and keeping in mind that the petitioner has been carrying on business in the suit premises for a considerable time, he is granted one year's time from today to vacate and handover peaceful and vacant possession of the suit premises to the Respondent-decree holder, subject to its filing usual undertaking in this Court within four weeks from today.

(A.D. Sharma) (S.S.R. Krishna)
Court Master Court Master