

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).14908/2009

(From the judgement and order dated 19/05/2009 in WP No.803/1979 of The HIGH COURT OF JUDICATURE AT ALLAHABAD, BENCH AT LUCKNOW)

RAM SHANKAR SINGH & ANR.

Petitioner(s)

VERSUS

ADDL.DISTRICT JUDGE-II,LUCKNOW & ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T., stay, deletion of the name of respondent, prayer for interim relief and office report)

Date: 08/07/2009 This Petition was called on for hearing today.

CORAM :

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

For Petitioner(s)

Dr. A.M. Singhvi, Sr. Adv.
Mr. Kailash Vasdev, Sr. Adv.
Mr. Pragyan Sharma, Adv.
Ms. Kanika Mehra, Adv.
Dr. Kailash Chand, Adv.

For Respondent(s)

Mr. Sunil Kumar Jain, Adv.

UPON hearing counsel the Court made the following
ORDER

Heard learned counsel for the parties.

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

The special leave petition is, accordingly, dismissed.

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The petitioners are, however, granted time till 31st January, 2010, 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 holder to file an execution petition for delivery of possession and in case such a petition has 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 petition or the application 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.

[Alka Dudeja]
Court Master

[Savita Sainani]
Court Master