

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).26092/2010

(From the judgement and order dated 10/05/2010 in WP No. 1212/2003
of The HIGH COURT OF UTTARANCHAL AT NAINITAL)

KISHAN LAL

Petitioner(s)

VERSUS

MAHANT PRABHU DAS

Respondent(s)

WITH SLP(C) NO. 26301 of 2010

SLP(C) NO. 26307 of 2010

[(With appln(s) for exemption from filing O.T. and with prayer for
interim relief and office report)]

Date: 08/10/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR

HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s)

Mr. Anurag Tawar, Adv.
Mr. Rameshwar Prasad Goyal, Adv.

For Respondent(s)

Mr. Jayanth Muth Raj, Adv.
Mr. P.V. Dinesh, Adv.

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UPON hearing counsel the Court made the following
O R D E R

These three Special Leave Petitions
arise out of a common judgment which has been
delivered by the High Court in respect of seven
tenancies. These three matters involve three of
the tenants and it appears that in respect of other
tenants, another Bench of this Court has passed an
order on 20th September, 2010, in SLP(C)No.25631 of
2010. In the said order, while dismissing the

-2-SLP(C)No.26092/10

Special Leave Petition, this Court granted six
months' time to the petitioner to vacate the
premises in question.

Having regard to the above and having
heard learned counsel for both the parties, we pass

a similar order.

The petitioner is given six months' time to vacate the premises in question, subject to filing of usual undertaking within four weeks in this Court, not to part with possession or create third party rights in the suit premises and also to pay whatever damages that may have been assessed for use of the premises each month till the premises are vacated.

The Special Leave Petitions are dismissed with the above directions.

(Sheetal Dhingra)
Court Master

(Juginder Kaur)
Court Master