

ITEM NO.36

COURT NO.3

SECTION XIA

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil)...../2011
CC 11730/2011

(From the judgement and order dated 01/02/2011 in RCR No.387/2006
of the HIGH COURT OF KERALA AT ERNAKULAM)

KOROTT CHOBALAN AZEEZ

Petitioner(s)

VERSUS

KANIYANKANDYABOBACKER & ANR.

Respondent(s)

(With I.A. No.1 for c/delay in filing SLP)

Date: 29/08/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s) Mr. P.V. Dinesh,Adv.

For Respondent(s)

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

Delay condoned.

In the impugned judgment, the Division Bench of the High Court has observed that "we find no reason to upset the finding concurrently entered by two courts below that there was cessation of occupation of the building continuously for more than 6 months. The result therefore is the revision fails and is dismissed." We find no ground to interfere with the impugned judgment passed by the High Court. The special leave petition is dismissed.

2

However, as prayed for, six months' time is granted for vacating the premises upon filing usual undertaking in the Registry of this Court within four weeks from today.

(A.S. BISHT)
COURT MASTER

(SHASHI BALA VIJ)
ASSISTANT REGISTRAR