

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).17999/2008

(From the judgement and order dated 23/05/2008 in CMWP No.60728/2007 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

MEENA DEVI

Petitioner(s)

VERSUS

HAZI BISMILLA(D) TR.LRS.

Respondent(s)

(With appln(s) for exemption from filing O.T. and prayer for interim relief)

Date: 08/08/2008 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) Mr. Ansar Ahmad Chaudhary,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

Heard learned counsel for the petitioner.

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

The special leave petition is, accordingly, dismissed.

-2-

....2/-

The petitioner is, however, granted time till 28th February, 2009, to vacate the premises in question upon filing usual undertaking within four weeks from today. It is directed that in case the petitioner fails 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. In that event, the executing court will not be required to issue notice to the petitioner but it shall ensure that delivery of possession is effected within a period of fifteen days from the date of filing of the execution petition and in case any armed force is required for delivery of possession, the same shall be deputed by the concerned Superintendent of Police within forty eight hours from the date of receipt of requisition from the concerned court. It is also directed that in case anybody else, other than the petitioner is found in possession, he shall also be dispossessed from the premises in question.

Needless to state that in case the respondents feel aggrieved by any portion of this order, it would be open to them to move this

Court for recall of the same.

[T.I. Rajput]
A.R.-cum-P.S.

[Om Prakash]
Assistant Registrar