

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).22244/2008

(From the judgement and order dated 16/07/2008 in CR No.3741/2008 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

SUNIT BEHAL

Petitioner(s)

VERSUS

DALIP CHANDRA & ANR.

Respondent(s)

(With prayer for interim relief)

Date: 15/09/2008 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. A.K. Sanghi,Adv.
Mr. Vimal Chandra S. Dave,Adv.
Ms. Neelam Kalsi,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.

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It has been stated that the petitioner's daughter is appearing in the examination which will be over by 30th April, 2009. In view of this, the petitioner is granted time till 30th April, 2009 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 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 and in case such a petition has been already filed, an application shall be filed therein to the effect that the petitioner has 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 petitioner, is found in possession, he shall also be dispossessed from the premises in question.

Needless to say that in case the respondents feel aggrieved by this part of the order, it shall be open to them to seek its recall.

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

[Om Prakash]
Assistant Registrar