

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).21361/2008

(From the judgement and order dated 08/07/2008 in WP No.3082/2008 of The HIGH COURT OF BOMBAY)

SAKHARAM GANESH AARAVANDEKAR & ANR.

Petitioner(s)

VERSUS

MAHADEO VINAYAK MATHKAR & ORS.

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment and prayer for interim relief)

Date: 28/08/2008 This Petition was mentioned today.

CORAM :

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

For Petitioner(s) Mr. Sudhanshu S. Choudhari,Adv.  
Mr. Naresh Kumar,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following  
ORDER

Taken on Board.

Heard learned counsel for the petitioners.

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 30th November, 2008, to vacate the premises in question upon filing undertaking to this effect in this Court within four weeks from today.

It is needless to say that in case the respondents feel aggrieved by this order, it would be open to them to move this court for its recall.

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.

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

[ Om Prakash ]  
Assistant Registrar