

ITEM NO.202

COURT NO.11

SECTION IVA

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).24228-24229/2008

(From the judgement and order dated 30/05/2008 in RFA No. 329/2003 c/w CO No. 6/2007 of The HIGH COURT OF KARNATAKA AT BANGALORE)

NISAR AHMED ETC.

Petitioner(s)

VERSUS

V.T.JAYAVELU ETC.

Respondent(s)

(With office report)  
(For final disposal)

Date: 16/07/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. P.R. Ramasesh, Adv.

For Respondent(s) Mr.R.S.Hegde, Adv.  
Mr.Ashok N.Nayak, Adv.  
Mr.Chandra Prakash, Adv.  
Mr.Amit Wadhwa, Adv.  
Mr. P.P. Singh, Adv.

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

These petitions are directed against judgment and order dated 30.05.2008 passed by the learned Single Judge of Karnataka High Court in RFA No.329/2003 and RFA Cross Objection No.6/2007.

On the last date of hearing i.e. 19.03.2010, learned counsel for the parties jointly requested for an adjournment by saying that their clients are making efforts for negotiated settlement.

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Mr. P.R. Ramasesh, learned counsel for the petitioner, on instruction from his client, who is present in the Court, stated that he is ready to give two years' time to the respondent to vacate the suit premises.

Mr. R.S. Hegde, learned counsel for the respondent, on the basis of instructions given to him by Mr. Ashok Nayak, who had appeared on behalf of the respondent before the High Court, stated

that his client will feel satisfied if two years' time is given to him to vacate the suit premises.

In view of the statement made by the learned counsel for the parties, the special leave petitions are disposed of in the following terms :-

1. The respondent shall vacate the suit premises and handover possession thereof to the petitioner on or before 31st July, 2012.
2. The respondent shall file usual undertaking before this Court within a period of eight weeks from today.
3. During the intervening period, the respondent shall not induct any other person in the suit premises in any capacity whatsoever and shall continue to pay to the petitioner a sum of Rs.1500/- per month w.e.f. August 1, 2010 by way of damages for use and occupation of the premises till vacant possession thereof is handed over to the petitioner.

( Satish K.Yadav )  
Court Master

( Phoolan Wati Arora )  
Court Master