

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).24303/2008

(From the judgement and order dated 28/07/2008 in LPA No.6/2008
in WP No.392/2007 of The HIGH COURT OF BOMBAY AT PANAJI)

SWAMI RAMAVATARA BHARATI & ANR.

Petitioner(s)

VERSUS

CARMINA MONICA D'SOUZA & ORS.

Respondent(s)

(With appln(s) for permission to place additional documents on
record and prayer for interim relief)

Date: 16/02/2009 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. B.S. Jain,Adv.

Mr. Ajay Veer Singh Jain,Adv.
Ms. Mamta Jain,Adv.
Mr. Manish Raghav,Adv.
Mr. Nitin Jain,Adv.
Dr. (Mrs.) Vipin Gupta,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

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, 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 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.

Needless to say that if 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.

[Savita Sainani]
Court Master