

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

I.A. No. 2/2012 in
Petition(s) for Special Leave to Appeal (Civil) No(s).21266/2012

(From the judgement and order dated 03/04/2012 in RSA No.94/2012
of The HIGH COURT OF H.P AT SHIMLA)

PAWAN KUMAR

Petitioner(s)

VERSUS

PALAMPUR ROTARY EYE FOUNDATION

Respondent(s)/
Applicant(s)

(for modification of Court's Order dated 30.07.2012
and office report)

Date: 08/02/2013 This IA was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s) Ms. Nandini Gupta, Adv.
Dr. (Mrs.) Vipin Gupta, Adv.
Mr. Jatin, Adv.

For Respondent(s)/
For Applicant(s) Mr. Prashant Bhushan, Adv.
Mr. Sumeet Sharma, Adv.

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

Registry has reported that petitioner has already filed the
undertaking on August 25, 2012 within time.

Having regard to this, we are not inclined to recall the
order dated July 30, 2012.

However, it is directed that petitioner shall honour the
undertaking given by him before this Court and vacate the subject
premises on or before July 30, 2013 and shall hand over vacant
peaceful possession of the said premises to the applicant (respondent
in special leave petition). In the event of default by the
petitioner, besides the action to which the petitioner may expose
himself for contempt of this Court, the respondent-applicant shall be
at liberty to obtain order from the competent court for forceful
dispossession of the petitioner.

The time granted by this Court in the order dated July 30,
2012 for vacation of the subject premises is further made conditional
upon petitioner paying rent upto the month of January 2013, if not
paid so far, on or before February 15, 2013 and he shall also
continue to pay monthly rent and discharge entire rent liability
before July 30, 2013.

Interlocutory Application No. 2 of 2012 stands disposed of
accordingly.

|(Rajesh Dham)
|Court Master

|(Renu Diwan)
|Court Master