

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)...../2009  
(CC 12004/2009)  
(From the judgement & order dated 08/04/2009 in CMWP No.1544/1992  
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

RAKESH SHARMA & ORS. Petitioner(s)

VERSUS

SHAKUNTALA DEVI GARG Respondent(s)

(With appln(s) for c/delay in filing SLP)

Date: 30/09/2009 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. Sunil Kumar Singh,Adv.  
Mr. Mukti Singh,Adv.  
Dr. Kailash Chand,Adv.

For Respondent(s) Ms. Lalita Kohli,Adv.  
Ms. Charu Singhal,Adv.  
for M/s. Manoj Swarup & Co.,Adv.

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

Heard learned counsel for the parties.

Delay condoned.

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 31st March, 2010, 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.

[ Alka Dudeja ]  
Court Master

[ Savita Sainani ]  
Court Master