

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

Petition(s) for Special Leave to Appeal (C) No. 15315/2026

[Arising out of impugned final judgment and order dated 18-02-2026 in WPMS No. 157/2022 passed by the High Court of Uttarakhand at Nainital]

ATUL BHATT & ORS.

Petitioner(s)

VERSUS

BIRENDRA PRASAD BADONI

Respondent(s)

(IA No. 129784/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 129786/2026 - EXEMPTION FROM FILING O.T.)

Date : 29-04-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.K. MAHESHWARI
HON'BLE MR. JUSTICE ATUL S. CHANDURKAR

For Petitioner(s) :

Mr. Ratish Kumar Sharma, AOR
Mr. Umesh Dubey, Adv.
Mr. Nirmal Kishore, Adv.
Mr. Rajiv Gupta, Adv.
Mr. Anil Rajpoot, Adv.

For Respondent(s) :

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

1) After hearing learned counsel for the petitioners, we see no reason and ground to entertain this special leave petition.

2) At this stage learned counsel for the petitioners prays for time to vacate the suit premises. In the facts and circumstances, we grant time to vacate the suit property up

to 31.12.2026, subject to payment of arrears of rent within one month and regular rent on month to month basis. It is directed that the petitioners shall hand over the peaceful vacant possession of the premises to the respondent on or before 31.12.2026 and shall not part with or create third party right therein. A usual undertaking shall be filed within a period of three weeks from today before the Registrar (Judicial), High Court of Uttarakhand. Non-filing of the undertaking shall give a cause to the landlord to execute the decree and the time for vacation as specified above shall not have any bearing to the execution proceedings. Defiance of the above terms, if any, may be treated as non-compliance of the order of this Court.

3) This order has been passed without issuing notice to other side, however, in case the respondent-landlord feels aggrieved by the order granting time for vacation of the suit premises, he is at liberty to apply before this Court.

4) The Special Leave Petition is, accordingly, dismissed with above terms. Pending application(s), if any, shall stand disposed of.

5) Ordered accordingly.

(NIDHI AHUJA)
DEPUTY REGISTRAR

(NAND KISHOR)
ASSISTANT REGISTRAR