

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).21785/2009

(From the judgement and order dated 28/05/2009 in WP No.28048/2009 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

MEENA SRIVASTAVA Petitioner(s)

VERSUS

RAM KISHORE TIWARI Respondent(s)

(With prayer for interim relief)

Date: 27/08/2009 This Petition was mentioned today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL
HON'BLE MR. JUSTICE G.S. SINGHVI

For Petitioner(s) Mr. Subramonium Prasad,Adv.

For Respondent(s)

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

Taken on Board.

Heard learned counsel for the petitioner.

We do not find any ground to interfere with the impugned order.

The special leave petition is, accordingly, dismissed.

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The petitioner is, however, granted time till 28 February, 2010, to vacate the premises th

in question upon filing undertaking to this effect in this Court within four weeks from today.

It is directed that in case the petitioner fails 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 petitioner has 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 petitioner. 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 petitioner, is found in possession, he shall also be dispossessed from the premises in question.

It is needless to say that in case the respondent feels aggrieved by this order, it would be open to him to move this court for its recall.

[Alka Dudeja]
Court Master

[Savita Sainani]
Court Master