

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) Nos.23122-23125/2008

(From the judgement and order dated 16/07/2008 in CR No.6070/2003,
CR No.6071/2003, CR No.6072/2003 and CR No.6075/2003 of The HIGH
COURT OF PUNJAB & HARYANA AT CHANDIGARH)

ANIL KUMAR & ANR. ETC.

Petitioner(s)

VERSUS

FAKIR CHAND UPPAL

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned
judgment and prayer for interim relief)

Date: 29/09/2008 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE G.S. SINGHVI

For Petitioner(s) Mr. A. Sharan, Sr. Adv.
Ms. Mukta Gupta, Adv.
Mr. Mukul Gupta, Adv.
Mr. Vishor Garg, 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 petitions are, accordingly, dismissed.

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The petitioners are, however, granted time till 30th June, 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 in case the respondent feels aggrieved by this part of the order, it shall be open to him to seek its recall.

[Alka Dudeja]
Court Master

[Om Prakash]
Assistant Registrar