

ITEM NO.2

COURT NO.5

SECTION XIIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

I.A. Nos.3-4 in
Petition(s) for Special Leave to Appeal (Civil) No(s).30718-
30719/2008

(From the judgement and order dated 10/04/2008 in CRP
No.414/2007,CRP No.517/2007 of The HIGH COURT OF A.P AT HYDERABAD)

MOHD.ABDUL RAHMAN & ORS. Petitioner(s)

VERSUS

B.MANORAMA & ANR. Respondent(s)

(for directions and office report)

Date: 11/05/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Mr. S.W.A. Qadri, Adv.

For Respondent(s) Mr. Rakesh K. Sharma, Adv.

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

The special Leave Petitions filed by the petitioners
were dismissed by this Court on 14.12.2011 by recording the
following order:

These petitions are directed against
order dated 10.4.2008 passed by the learned
Single Judge of the Andhra Pradesh High Court,
whereby he dismissed the revisions filed by the
petitioners under Section 22 of the Andhra
Pradesh Buildings (Lease, Rent and Eviction)

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Control Act, 1960 and confirmed the order passed
by the Appellate Authority-cum-Additional Chief
Judge, City Small Causes Court who had reversed
the order of eviction passed by the Rent
Controller.

We have heard learned counsel for the
parties for some time and perused the record.

In our view, the negative finding
recorded by the Appellate Authority on the issue
of bonafide requirement of the petitioners was

based on correct analysis of the pleadings of the parties and evaluation of the evidence produced by them. The learned single Judge of the High Court independently considered the entire matter, took cognizance of the fact that the tenant had already handed over possession of the two mulgis and held that the requirement of the petitioners was not bonafide.

In our view, the impugned order as also the one passed by the Appellate Authority do not suffer from any legal infirmity warranting interference under Article 136 of the Constitution.

The special leave petitions are accordingly dismissed."

Now, the petitioners have filed these applications with the following substantive prayer:

"allow the present application by directing the respondent to surrender the shop at ground floor of the premises in question by accepting and repossessing the shops surrendered by them during pendency of the appeals."

In our considered view, the prayer made in the applications is clearly beyond the scope of the special leave petitions and there is no warrant for entertaining the same.

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The applications are accordingly dismissed.

(Parveen Kr.Chawla)
Court Master

(Phoolan Wati Arora)
Court Master