

ITEM NO.28

COURT NO.3

SECTION IVB

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(s). 28870/2011

(Arising out of impugned final judgment and order dated 21/07/2011 in CR No. 4385/2011 passed by the High Court Of Punjab & Haryana At Chandigarh)

RAM NIWAS

Petitioner(s)

VERSUS

RAJESH KUMAR & ANR

Respondent(s)

(with appln. (s) for permission to file additional documents and interim relief and office report)

Date : 22/09/2014 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR

HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. Kavin Gulati, Sr. Adv.
Mr. S.S.Shamshery, Adv.
Mr. H.S.Rathore, Adv.
Mr. V.M.Vishnu, Adv.
Mr. R. C. Kohli, Adv.

For Respondent(s) Mr. Bharat Bhushan, Adv.
Mr. Rakesh Kumar Yadav, Adv.

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

Heard.

We see no reason to interfere with the impugned order. The special leave petition is accordingly dismissed.

The petitioner is, however, granted time till 31st March, 2015 to vacate and hand over peaceful possession of the shop in dispute to the respondents, subject to the following conditions:

(1) The petitioner files an undertaking in this Court in usual terms within four weeks from today.

(2) The petitioner deposits with the trial court or pays for use and occupation of the premises in question at the rate of Rs. 2,000/- (Rupees two thousand only) per month for the period commencing 1st October, 2014 till the date the premises is actually vacated.

(3) The petitioner pays the entire arrears of rent due from him @ Rs. 4,150/- p.a.

(4) In the event of breach of failure of the petitioner to comply with any one of the above conditions, the eviction order shall become executable forthwith.

(SHASHI SAREEN)
COURT MASTER

(VEENA KHERA)
COURT MASTER