

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).1998/2009

(From the judgement and order dated 26/09/2008 in CMWP No.36815/2001 of  
The HIGH COURT OF JUDICATURE AT ALLAHABAD)

SAEED AKHTAR & ORS.

Petitioner(s)

VERSUS

DEVI SARAN

Respondent(s)

(With appln(s) for exemption from filing O.T., prayer for interim relief and office  
report)

Date: 06/02/2009 This Petition was called on for hearing today.

CORAM :

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

For Petitioner(s) Mr. Aftab Rasheed,Adv.

Mr. Mohammad Aqeel Husain,Adv.  
Ms. Anjum Ahmad,Adv.  
Mr. Aftab Ali Khan,Adv.

For Respondent(s)

Mr. P.D. Sharma,Adv.

UPON hearing counsel the Court made the following  
ORDER

Heard learned counsel for the parties.

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

The special leave petition is, accordingly, dismissed.

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S.L.P. (C) No.1998 of 2009:

The petitioners are, however, granted time till 30th  
November, 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.

[ T.I. Rajput ]  
A.R.-cum-P.S.

[ Savita Sainani ]  
Court Master