

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).26805/2008

(From the judgement and order dated 29/08/2008 in WP No.630/2007
of The HIGH COURT OF BOMBAY AT PANAJI)

BHARATI P.HEBLE & ORS.

Petitioner(s)

VERSUS

ZOIVANTA J.S.AMONKAR (D) THR.LRS.

Respondent(s)

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

Date: 17/11/2008 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. Nachiketa Joshi,Adv.
Mr. Ranjith K.C.,Adv.

For Respondent(s) Mr. Amarjit Singh Bedi,Adv.
Mr. Prashant Kumar,Adv.
Ms. Triveni Potekar,Adv.
Mr. Amit Singh,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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The petitioners are, however, granted time till 31st
May, 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.

[Alka Dudeja]
Court Master

[Savita Sainani]
Court Master