

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).2216/2007
(From the judgement and order dated 19/10/2006 in CRP No. 49/1989 of The HIGH COURT OF DELHI AT N. DELHI)

VED WATI PATTAK & ORS. Petitioner(s)
VERSUS
MAHABIR PARSHAD & ANR. Respondent(s)
(With prayer for interim relief and office report)

Date: 07/01/2008 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE C.K. THAKKER
HON'BLE MR. JUSTICE D.K. JAIN

For Petitioner(s) Mr. A.K. Singla, Sr. Adv.
Mr. Prem Malhotra,Adv.

For Respondent(s) Mr. V.P. Choudhary, Sr. Adv.
Ms. Ruchika Jain, Adv.
Mr. Randhir Singh Jain,Adv.

UPON hearing counsel the Court made the following
ORDER

We have heard learned counsel for the parties.

On the facts and in the circumstances, in our opinion, this is not a fit
case to exercise discretionary and equitable jurisdiction under Article 13

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of the Constitution, in the light of the finding recorded by the High Court.

Learned counsel for the petitioners states that the petitioner No. 1 is
an old lady aged about 78 years and hence sufficient time may be granted.

Learned counsel for the respondents on the other hand submits that
even respondent No. 1, landlord, is also 80 years old and when an order is passed
in his favour, he may not be deprived of possession of property for long time.

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SLP(C) 2216/07....Contd..(It. 51,Ct. 10 Dt.7/1/2008)

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On the facts and in the circumstances ends of justice would be met if
the petitioners are granted time till 31st December, 2008 to vacate the premises
in question by filing usual undertaking on affidavit in this Court within four
weeks, a copy whereof will be supplied to the respondents.

[Charanjeet Kaur]
Court Master

[Vinod Kulvi]
Court Master