

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).28497/2008

(From the judgement and order dated 22/08/2008 in RFA No.75/2008 of The HIGH COURT OF KARNATAKA AT BANGALORE)

EVANGELICAL LITERATURE SERVICE & ANR.

Petitioner(s)

VERSUS

CHURCH OF SOUTH INDIA TRUST ASSOCIATION

Respondent(s)

(With appln(s) for permission to place additional documents on record and prayer for interim relief)

Date: 08/12/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL
HON'BLE MR. JUSTICE J.M. PANCHAL

For Petitioner(s) Mr. L.N. Rao, Sr. Adv.

Mr. Dayan Krishnan, Adv.
Mr. Gautam Narayan, Adv.
Mr. Nikhil Nayyar, Adv.
Mr. Mahfooz Nazki, Adv.
Mr. Nikhil Nayyar, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

Heard learned counsel for the petitioners.

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.28497 of 2008

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

Needless to say that if the respondent feels aggrieved by this part of the order, it shall be open to it to seek its recall.

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

[Savita Sainani]
Court Master