ITEM NO.18   COURT NO.16   SECTION IX

S U P R E M E   C O U R T   O F   I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 1181/2025

[Arising out of impugned final judgment and order dated 03-10-2024 in WP No. 1694/1996 passed by the High Court of Judicature at Bombay]

AKBAR BABUBHAI SHAIKH & ORS.   Petitioner(s)

                              VERSUS

SAMINA KHALID MEMON & ORS.   Respondent(s)

(IA No. 25693/2025 - CONDONATION OF DELAY IN FILING;IA No. 25695/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Date : 03-02-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KAROL
         HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) Dr. Arvind S. Avhad, AOR
                   Mr. Nitin Jain, Adv.
                   Mr. Rishabh Singh, Adv.
                   Mr. Abhishek Krishna, Adv.

For Respondent(s)

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

1.   Delay condoned.

2.   Heard Dr. Arvind S. Avhad, learned counsel for the petitioners

at length.

3.   We have also perused the record.

4.   We are not inclined to interfere with the impugned findings of

fact returned by the Authorities below.

5.   As such, the Special Leave Petition is dismissed.

6.   However,   at   this   stage,   Dr.   Arvind   S.   Avhad,   under

instructions from the petitioners, submits that the petitioners are

ready and willing to furnish an undertaking before this Court for vacating the premises within a period of six month from today.

7. The statement of the petitioners, through the learned counsel, is accepted and taken on record.

8. Consequences of breach of the undertaking are also explained to the petitioners.

9. As such, the time to vacate the premises is extended by six months.

10. Let the undertaking , in the usual form, be filed within four weeks.

11. We further clarify that the petitioners shall be bound to handover the vacant peaceful possession of the demise premises to the respondent-landlord and the Execution Petition initiated, if any, shall be kept in abeyance for such period.

(VARSHA MENDIRATTA)   (ANU BHALLA)
COURT MASTER (SH)   COURT MASTER (NSH)