

ITEM NO.7

COURT NO.7

SECTION XI-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

CONMT.PET.(C) No. 520/2019 in SLP(C) No. 30640/2018

POTTICHIALAKATH HASHIM

Petitioner(s)

VERSUS

V. BALAJI &amp; ANR.

Respondent(s)

(FOR ADMISSION )

Date : 30-04-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE R. BANUMATHI  
HON'BLE MR. JUSTICE S. ABDUL NAZEER

For Petitioner(s) Mr. Nishe Rajen Shonker, Adv.  
Mr. Mohammed Sadique T.A., AOR  
Ms. Anu K. Jay, Adv.  
Mr. Alim Anvar, Adv.

For Respondent(s)

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

By the order dated 22.11.2018, the special leave petition was dismissed by giving time to the tenants to vacate and hand over peaceful and vacant possession of the suit premises to the respondents on 30<sup>th</sup> May, 2019 subject to their furnishing usual undertaking. It was also observed that the tenants shall pay the agreed rent amount to the landlord and also clear all the arrears of the agreed rent.

It is stated that the tenants have already vacated the premises on 9<sup>th</sup> April, 2019.

Learned counsel appearing on behalf of the petitioner-

landlord submitted that the tenants have only paid an amount of Rs.5,50,000/- (Rupees five lakhs fifty thousand). According to the learned counsel for the petitioner-landlord, the tenants have committed wilful disobedience of the order in not paying the agreed rent and also the arrears of the agreed rent. Since the tenants have paid an amount of Rs.5,50,000/- (Rupees five lakhs fifty thousand), we are not inclined to go into the disputed question of fact as how much is the agreed amount of rent and how much arrears of rent paid is payable.

In view of above, we do not find any ground to initiate contempt proceedings against the respondents. The contempt petition is, accordingly, disposed of by giving liberty to the petitioner to work out his remedy in accordance with law.

Pending application(s), if any, shall also stand disposed of.

(MADHU BALA)  
COURT MASTER (SH)

(PARVEEN KUMARI PASRICHA)  
BRANCH OFFICER