

ITEM NO.11

COURT NO.13

SECTION IX

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

Petition(s) for Special Leave to Appeal (C) No(s). 2193/2017

(Arising out of impugned final judgment and order dated 13-12-2016 in CRABA No. 258/2016 passed by the High Court Of Judicature At Bombay)

VASANT DHONDIRAM VANKUDRE (DEAD) THRU LRS & ORS. PETITIONER(S)

VERSUS

AMRUTLAL KHEMCHAND OSWAL (DEAD) THROUGH LRS. & ANR. RESPONDENT(S)

Date : 31-10-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE HIMA KOHLI  
HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

For Petitioner(s) Mr. Arvind S. Avhad, AOR  
Mr. Varun Varma, Adv.  
Mr. Abhishek Krishna, Adv.

For Respondent(s) Mr. Shivaji M. Jadhav, Adv.  
Mr. Adarsh Kumar Pandey, Adv.  
Mr. Brij Kishor Sah, Adv.  
Ms. Apurva, Adv.  
Mr. Vignesh Singh, Adv.  
Mr. Aditya S. Jadhav, Adv.  
Mr. Arun Kanwa, Adv.  
M/S. S.M. Jadhav And Company, AOR

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

1.. After addressing arguments, learned counsel for the petitioners states that if granted a reasonable time, the petitioners are ready and willing to vacate the subject premises and clear the arrears of rent.

2. Learned counsel for the respondents is agreeable to the said suggestion.
3. Having regard to the fact that the petitioners are running a commercial establishment from the subject premises, it is deemed appropriate to grant them time up to 31<sup>st</sup> March, 2024, to handover vacant and peaceful possession of the subject premises to the respondents.
4. The aforesaid order is subject to the petitioners clearing the arrears of rent payable to the respondents in respect of the subject premises within four weeks from today. With effect from November, 2023, the use and occupation charges in respect of the subject premises shall be paid by the petitioners on a month to month basis, on or before 7<sup>th</sup> day of each calendar month till the possession is handed over.
5. The usual undertaking/affidavit be filed by the petitioners in the Registry of this Court within a period of four weeks, with a copy to the other side. The petitioners are cautioned that in the event of any default on their part, they shall be liable to face contempt of Court proceedings.
6. The petition for Special Leave to Appeal is disposed of on the above terms.

**(POOJA SHARMA)**  
**COURT MASTER (SH)**

**(NAND KISHOR)**  
**COURT MASTER (NSH)**