

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO. 4071/2020

ASHOK KUMAR HANDA

Appellant(s)

VERSUS

VIJAY KUMAR AGARWAL

Respondent(s)

O R D E R

1. This Civil Appeal arises out of the judgment of the High Court in Civil Revision No.28 of 2013 dated 29.08.2020. By the said judgment, the High Court reversed the decision of the Trial Court and allowed the suit for eviction. The High Court also granted time till 28.02.2021 for the appellant to vacate and handover peaceful possession of the premises to the respondent.

2. However, by virtue of an interim order passed by this Court on 15.12.2020, the appellant is still continuing in possession of the premises.

3. Having heard the matter in detail, we are of the opinion that the High Court has not committed any error of facts or law in reversing the judgment dated 24.12.2012. The Civil Appeal is, therefore, dismissed.

4. However, in the facts and circumstances of the case, we grant time to the appellant to vacate and handover peaceful possession of the property by 31st December, 2025. This will be subject to the filing of a usual Undertaking before this Court within a period of four weeks from today.

5. The arrears of rent amounting to Rs.11,300/- with effect from January, 2015 till date i.e. upto April, 2024, if not paid, shall be paid within a period of four weeks from today. For the period commencing from May, 2024 till December, 2025, the appellant shall pay the rent of Rs.1500/- per month to the respondent.

6. Subject to the above, the Civil Appeal is dismissed.

.....J.
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.
[ARAVIND KUMAR]

New Delhi
May 08, 2024.

ITEM NO.104

COURT NO.13

SECTION X

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

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Date : 08-05-2024 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE ARAVIND KUMAR

For Appellant(s) Mr. Prashant Chaudhary, AOR

For Respondent(s) Mr. Chinmoy Khaladkar, Adv.
Ms. Sunita Sharma, AOR
Mr. Himanshu Mehra, Adv.
Mr. Manish Kumar @ Vicky, Adv.

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

1. The Civil Appeal is dismissed in terms of the signed order.
2. Pending applications, if any, shall stand disposed of.

(INDU MARWAH)
AR-CUM-PS

(NIDHI WASON)
COURT MASTER (NSH)
(Signed order is placed on the file)