

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). 19978/2017

(Arising out of impugned final judgment and order dated 14-07-2017 in CRA No. 257/2017 passed by the High Court of Judicature at Bombay)

CENTRAL BANK OF INDIA

Petitioner(s)

VERSUS

ARDESHIR BEHRAM DUBASH & ORS.

Respondent(s)

(With Interim Relief)

Date : 25-08-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. Raju Ramachandran, Sr. Adv.
Mr. O.P. Gaggar, AOR
Mr. Aditya Gaggar, Adv.

For Respondent(s) Mr. Jay Savla, AOR
Ms. Shilpi Choudhary, Adv.
Mr. Prabhat Chaurasia, Adv.

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

We are not inclined to entertain this special leave petition, which is dismissed.

However, considering the prayer made on behalf of the petitioner, that the petitioner be granted some time to vacate and handover peaceful and vacant possession of the property in question, we deem it appropriate to grant time till 31.12.2018 to the petitioner to vacate and handover peaceful and vacant possession subject to filing of a usual undertaking to that effect in this Court within a period of one month from today, making it clear that it will handover peaceful and vacant possession of the

property in question free from any encumbrance or third party interest or any other hindrance. Such possession shall be handed over by the petitioner to the respondents on or before 31.12.2018.

However, towards use and occupation charges, without prejudice to the inquiry regarding mesne profits, the petitioner shall pay to the respondents Rs.1,00,000/- per month from the date of the judgment of the High Court.

Needless also to say that this is subject to adjustment after the determination of the mesne profits.

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

(NARENDRA PRASAD)
COURT MASTER

(RENU DIWAN)
ASST. REGISTRAR