

ITEM NO.10

COURT NO.9

SECTION XI

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 for Special Leave to Appeal (C) No. 3574/2017

(Arising out of impugned final judgment and order dated 08/12/2016 in MB No. 28068/2016 passed by the High Court Of Judicature at Allahabad, Lucknow Bench)

M/S HIND PLYWOOD INDUSTRY & ANR.

Petitioner(s)

VERSUS

STATE OF UP THRU. ITS PRINCIPAL SECY. HOUSING
& DEVELOPMENT & ORS

Respondent(s)

(With appln. (s) for exemption from filing O.T. and interim relief and office report)

Date : 31/03/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.A. BOBDE

HON'BLE MR. JUSTICE L. NAGESWARA RAO

For Petitioner(s) Mr. Pradeep Kant, Sr. Adv.
Ms. Kamini Jaiswal, Adv.
Mr. Rohit Kumar Singh, Adv.
Mr. Divyanshu Sahay, Adv.

For Respondent(s) Mr. Gaurav Mehrotra, Adv.
Mr. M.C. Dhingra, Adv.
Ms. Gauri Neo Rampal, Adv.
Mr. Piyush Kant Roy, Adv.

Dr. A.M. Singhvi, Sr. Adv.
Mr. Amit Bhandari, adv.
Mr. Talha Rahman, Adv.
Mr. Sudhansu Palo, Adv.

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

Heard learned counsel appearing on behalf of the petitioners.

We do not find any reason to entertain this petition.

The special leave petition is, accordingly, dismissed.

However, we grant eighteen months' time to the petitioners to quit and deliver vacant possession of the suit scheduled premises to the respondents, subject to filing usual undertaking in this behalf within two weeks' time from today.

It is, however, made clear that the petitioners shall have a right to continue the proceedings in which they claim title. If they succeed in such proceedings, they shall be entitled to apply for restitution under Section 144 of the Code of Civil Procedure in accordance with law.

[Charanjeet Kaur]
A.R.-cum-P.S.

[Indu Pokhriyal]
Court Master