

ITEM NO.2

COURT NO.16

SECTION XI

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).21556/2019

(Arising out of impugned final judgment and order dated 08-05-2019 in SCCR No.87/2017 passed by the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow)

SAMRENDRA PRATAP SINGH @ RINKU

Petitioner(s)

VERSUS

DALMATI

Respondent(s)

(FOR ADMISSION and I.R. and IA No.136817/2019-EXEMPTION FROM FILING O.T. and IA No.144148/2019-EXEMPTION FROM FILING O.T. and IA No.144144/2019-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 30-09-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.M. JOSEPH  
HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner(s) Mr. Devendra Singh, AOR  
Mr. Awant K.Vatsya, Adv.  
Mr. Samarth Saxena, Adv.

For Respondent(s) Mr. Pradeep Kumar Yadav, Adv.  
Ms. Sheenu Chauhan, Adv.  
Mr. Sanjeev Malhotra, AOR

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

Heard learned counsel for the petitioner-tenant.

We also have the benefit of hearing the learned counsel for the respondent-landlady, who appears on caveat.

We are not inclined to interfere with the impugned order passed by the High Court.

The special leave petition is accordingly dismissed.

As a sequel to the above, pending interlocutory applications also stand disposed of.

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Learned counsel for the petitioner-tenant prays for some time to vacate the suit premises. It is pointed out by the learned counsel that the petitioner is doing business in the rented premises.

After hearing learned counsel for the parties, we are inclined to grant time to the petitioner-tenant to vacate and hand over peaceful possession of the suit premises to the respondent-landlady subject to furnishing of usual undertaking. Accordingly., it is directed as follows:

(i) If the petitioner furnishes the usual undertaking in the Registry of this Court within a period of three weeks from today, he is permitted to continue in the suit premises for a period of one year from today.

(ii) The petitioner-tenant is also directed to deposit the entire arrears before the Small Cause Court, Distt.Judge Lakhimpur, Kheri within a period of one month from today. The petitioner is also directed to pay compensation to the respondent-landlady at the rate of Rs.3,000/- per month from 18<sup>th</sup> October, 2019 without fail.

We make it clear that if the petitioner fails to vacate the suit premises within the time stipulated hereinabove or pay the amount as mentioned above, the proceedings under the Contempt of Courts Act, 1971 shall be initiated against him.

(SATISH KUMAR YADAV)  
AR-CUM-PS

(RAJ RANI NEGI)  
ASSISTANT REGISTRAR