

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). 5921/2017
(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 21/11/2016
IN SBWP NO. 14550/2016 PASSED BY THE HIGH COURT OF RAJASTHAN AT
JAIPUR)

ANIL KUMAR AGARWAL

PETITIONER(S)

VERSUS

GAYATRI PARIWAR TRUST, KARALI KUND, ALWAR,
THR ITS CHIEF MANAGEMENT TRUSTEE

RESPONDENT(S)

(WITH APPLN. (S) FOR EXEMPTION FROM FILING O.T. AND INTERIM RELIEF)

Date : 22/02/2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner(s)

Mr. T.N. Saxena, Adv.

Mr. Vipin Kr. Saxena, Adv.

Mr. Yash Pal Dhingra, Adv.

For Respondent(s)

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

Heard the learned counsel for the petitioner and
perused the relevant material.

Exemption from filing O.T. is granted.

In view of the concurrent findings of fact on
default recorded by the learned trial Court and the First
Appellate Court, the High Court was perfectly justified in
refusing to interfere with the order/decreed of eviction.
We, therefore, find no fault with the order of the High
Court. The Special Leave Petition is accordingly
dismissed.

However, three months' time from today is granted to the petitioner to vacate the suit premises subject to his furnishing the usual undertaking before this Court within two weeks from today, stating that the petitioner will not create any third party rights, will clear all the rent in the meanwhile and will peacefully vacate the premises concerned at the end of three months.

[VINOD LAKHINA]
COURT MASTER

[ASHA SONI]
COURT MASTER