

ITEM NO.42

COURT NO.10

SECTION XIV

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 38934/2017

(Arising out of impugned final judgment and order dated 10-03-2016 in CRP No. 96/2015 25-08-2017 in RP No. 132/2017 passed by the Gauhati High Court)

RENU DEVI KUCHERIA (OSWAL) &amp; ANR.

Petitioner(s)

VERSUS

TRAVINI DEVI TEWARI &amp; ORS.

Respondent(s)

( IA No.133789/2017-CONDONATION OF DELAY IN FILING)

Date : 15-12-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Petitioner(s) Mr. Anupam Lal Das, AOR  
Mr. Raktim gogoi, Adv.  
Mr. Kartikeya Singh, Adv.

For Respondent(s)

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

Delay condoned.

We find no merit in this Special Leave Petition, which is accordingly dismissed.

However on the request of the learned counsel for the Petitioner, we allow the Petitioner further period till 30<sup>th</sup> June, 2018 to vacate the suit premises subject to filing of usual undertaking within four weeks from today and following conditions:

(i) The Petitioner will pay occupancy charges with effect from the date of order of the High Court at the rate of @ Rs.1,000/- (Rupees one thousand only) per month in advance on or before the 7th day of the subsequent month till vacation and the arrears of balance amount ;

(ii) Petitioner shall pay arrears of rent/damages or the difference between the existing rent and enhanced rent, within four weeks from today, to the Respondent or deposit the amount in the account of the Respondent, number of which may be provided by the respondent or by way of bank draft;

(iii) the Petitioner shall not create any third party interest on the suit premises.

Needless to state that if the Petitioners fail to comply with all the terms of usual undertaking, they shall, in addition to all other legal proceedings, be liable for contempt of Court.

(NEELAM GULATI)  
COURT MASTER (SH)

(MADHU NARULA)  
BRANCH OFFICER