

ITEM NO.3

COURT NO.4

SECTION XVI

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)...CC No(s).1916/2017

(Arising out of impugned final judgment and order dated 11/08/2016
in SA No. 613/2007 passed by the High Court of Calcutta)

MD. HABIB

Petitioner(s)

VERSUS

GOLAM RASUL

Respondent(s)

(With appln. (s) for c/delay in filing and refiling SLP)

Date : 31/01/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE ASHOK BHUSHANFor Petitioner(s) Mr. Pijush K.Roy, Adv.
Ms. Kakali Roy, Adv.
Mr. Rajan K. Chourasia, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E RHeard the learned counsel for the petitioner
and perused the relevant material.Application for exemption from filing
certified copy of the impugned order is allowed.

Delay condoned.

The special leave petition is dismissed.

However, we grant six months' time from
today to the petitioner to quit and deliver vacant
possession of the schedule premises.

The petitioner shall file an appropriate undertaking before this Court within two weeks' time from today.

The petitioner shall not alienate or transfer the property or create any third party interest in the property.

The petitioner shall not alter the nature of the property also.

If for any reason, the petitioner fails to vacate the premises in question, the respondent is at liberty to take the assistance of the police authorities to get the possession of the property from the petitioner.

(Neetu Khajuria)
Court Master

(Asha Soni)
Court Master