

ITEM NO.5

COURT NO.6

SECTION IX

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.44052/2019

(Arising out of impugned final judgment and order dated 16-04-2019 in WP No.5300/2017 passed by the High Court Of Judicature At Bombay At Nagpur)

ABDUL AZIZ

Petitioner(s)

VERSUS

CHETAN S/O BABULAL PATEL & ANR.

Respondent(s)

(FOR ADMISSION and I.R.; IA No.2193/2020 - FOR CONDONATION OF DELAY IN FILING; and, IA No.2194/2020 - FOR EXEMPTION FROM FILING O.T.)

Date : 14-01-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MS. JUSTICE INDU MALHOTRA

For Petitioner(s) Mr. A.K. Singh, Adv.
Mr. Devvrat, AOR
Mr. Rajesh Jindal, Adv.
Md. Kamran Khan, Adv.

For Respondent(s)

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

Delay condoned.

We do not see any reason to interfere in the matter.

However, at the request of the learned counsel for the petitioner, we grant to the petitioner time to vacate till 31.03.2020, subject to the petitioner filing usual undertaking within three weeks from today. The undertaking shall also incorporate the term that all the arrears shall be deposited by the petitioner before 15.02.2020.

In case, no undertaking is filed, the decree for eviction shall become executable forthwith.

A copy of this order be sent to the respondents as well as to the Trial Court, which dealt with the matter.

The special leave petition is, accordingly, dismissed.

Pending application(s), if any, shall stand disposed of.

(MUKESH NASA)
COURT MASTER

(SUMAN JAIN)
BRANCH OFFICER