

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). 4860/2020

(Arising out of impugned final judgment and order dated 12-09-2019 in FA No. 34/2012 passed by the High Court at Calcutta)

ALOK ROY CHOWDHURY & ORS.

Petitioner(s)

VERSUS

BELA RANI GOSWAMI (DECEASED) THR. LRS

Respondent(s)

Date : 29-04-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) Mr. Kunal Chatterji, AOR
Ms. Maitrayee Banerjee, Adv.
Mr. Shoumendu Mukherji, Adv.
Mr. Rohit Bansal, Adv.
Ms. Kshitij Singh, Adv.
Ms. Megha Sharma, Adv.

For Respondent(s) Ms. Pratiksha Sharma, AOR
Mr. Ankit Acharya, Adv.
Ms. Ritu Chaudhary, Adv.

Mr. Ashutosh Dubey, Adv.
Mr. Rahul Karmakar, Adv.
Ms. Rajshri Dubey, Adv.
Mr. Abhishek Chauhan, Adv.
Mr. Amit P Shahi, Adv.

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

Having heard learned counsel for the respective parties at length, we are not inclined to interfere in the matter.

The special leave petition is hence, dismissed.

However, having regard to the age of the respondents and also particularly that of the petitioners, eight months' time is granted to vacate and hand over vacant possession of the scheduled premises to the respondents herein. During the said period, the petitioners

shall not create any third party rights or interest in respect of the scheduled premises.

The petitioners shall not cause any damage to the scheduled premises.

An undertaking to this effect shall be filed by the petitioners herein before this Court within a period of three weeks from today.

The undertaking shall also contain a clause that the petitioners shall not seek any extension of time for vacating and handing over vacant possession of the scheduled premises.

In the event, any of the aforesaid conditions are violated by the petitioners herein, the respondents are at liberty to seek vacant possession of the premises with police help.

Further in the event, the petitioners fail to give an affidavit of undertaking, the respondents are also at liberty to seek vacant possession of the scheduled premises with police help.

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

(RADHA SHARMA)
COURT MASTER (SH)

(MALEKAR NAGARAJ)
COURT MASTER (NSH)