

ITEM NO.17

COURT NO.8

SECTION XI-A

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). 5378/2019  
(Arising out of impugned final judgment and order dated 26-11-2018  
in RCREV No. 325/2013 passed by the High Court Of Kerala At  
Ernakulam)

M R SANJAY

Petitioner(s)

VERSUS

CHANKALATH MEENAKSHI AMMA &amp; ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.31487/2019-EXEMPTION FROM FILING  
O.T. )

Date : 25-02-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE R. BANUMATHI  
HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Petitioner(s) Mr. K.P. Raja Gopalan, Adv.  
Mr. Jaimon Andrewj, Adv.  
Mr. Mukund P. Unni, Adv.  
Mr. Naresh Kumar, AOR

For Respondent(s)

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

Heard learned counsel for the petitioner.

Both the Appellate Court as well as the High Court has recorded the clear finding that the premises has been sublet to respondent no. 2 and that respondent no. 2 is running the Hotel. Having regard to the concurrent findings, we are not inclined to interfere with the impugned order. 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 furnishing usual

undertaking before this Court within four 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

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

(MADHU BALA)  
COURT MASTER (SH)

(PARVEEN KUMARI PASRICHA)  
BRANCH OFFICER