

ITEM NO.4 +18

COURT NO.7

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) No(s). 16416/2019

(Arising out of impugned final judgment and order dated 05-01-2018 in SA No. 36/1986 passed by the High Court At Calcutta)

CHITTOR VAIDYALINGA RAMA AIYAR DEAD  
THROUGH HIS LRS

Petitioner(s)

VERSUS

EVA ELIZABETH SINGH DEAD THROUGH HER LRS & ORS.

Respondent(s)

Item 18

Dy. No.32817/2019

(Applications for c/d in filing and exemption from filing c/c of the impugned judgment)

Date : 15-10-2019 This petition was called on for hearing today.

CORAM :

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

For Petitioner(s) Mr. Debal Banerji, Sr. Adv.  
Mr. Joydeep Mazumdar, Adv.  
Mr. Raja Adhikary, Adv.  
Mr. Rohit Dutta, Adv.  
Mr. Mrinal Das, Adv.  
Ms. Priyata Chakraborty, Adv.  
Ms. Shalini Kaul, AOR

For Respondent(s) Mr. Bijan Kumar Ghosh, AOR  
Mr. Ujjwal Banerjee, Adv.

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

SLP (C) No. 16416/2019

The special leave petition is dismissed.

Consequently, the tenant is directed to hand-over possession of the ground floor within three months subject to filing usual Undertaking within three weeks from today. In case, the Undertaking is not filed, the decree shall become executable in respect of ground floor forthwith.

Pending applications, if any, shall also stand disposed of.

Dy. No.32817/2019

Delay condoned.

Issue notice, returnable in four weeks.

Since the respondent is present in Court, no separate notice be issued.

The respondent is at liberty to file affidavit in reply within three weeks from today. Rejoinder, if any, be filed within a week thereafter.

Pending further consideration of the matter, the rent of the premises in respect of first and second floor is fixed in the sum of Rs.one lakh which shall be payable every month with effect from October, 2019 itself.

List for final disposal on 19.11.2019.

(INDU MARWAH)  
COURT MASTER

(SUMAN JAIN)  
BRANCH OFFICER