

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7111 OF 2013
(@ SPECIAL LEAVE PETITION(C) NO.26865 OF 2009)

GOPAL KRISHAN MITTAL

... APPELLANT(S)

VERSUS

M/S.BOMBAY MOTORS & ORS.

... RESPONDENT(S)

O R D E R

1. Leave granted.
2. Heard learned counsel for the parties to the *lis*.
3. Taking into consideration the fact that the respondents-tenants are occupying the premises from the last five decades, we are of the view that they should be given sufficient time to quit and deliver vacant possession of the premises in question to the appellant-landlord.

J U D G M E N T

4. Accordingly, we grant five years' time from today to the tenants-respondents to quit and deliver vacant possession of the premises to the landlord-appellant. We make it clear that the respondents shall not commit any default in payment of rentals to the landlord-appellant and also shall not let out the premises to any other party.
5. The respondents-tenants shall file an appropriate undertaking before the Registry of this Court within four weeks' from today to this effect.

6. If, for any reason, the respondents commit any default of the aforesaid conditions, the landlord-appellant is at liberty to take the assistance of the jurisdictional police authorities to take possession of the premises in question.

7. In view of the above, we set aside the orders passed by the High Court and restore the orders passed by the Rent Controller which is affirmed by the First Appellate Authority.

8. The Civil Appeal is disposed of accordingly.

.....J.
(H. L. DATTU)

.....J.
(SUDHANSU JYOTI MUKHOPADHAYA)

NEW DELHI;
AUGUST 22, 2013

JUDGMENT