

ITEM NO.16

COURT NO.12

SECTION XV

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). 21866/2015

(Arising out of impugned final judgment and order dated 30-03-2015 in SBCSA No. 78/2001 passed by the High Court Of Judicature For Rajasthan At Jodhpur)

SHANTILAL

Petitioner(s)

VERSUS

SANGEETA BASER &amp; ORS.

Respondent(s)

Date : 14-08-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE R. BANUMATHI  
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Ms. Madhurima Tatia, AOR

For Respondent(s) Ms. Christi Jain, Adv.  
Mr. Puneet Jain, Adv.  
Mr. Harsh Jain, Adv.  
Ms. Priyal Jain, Adv.  
Mr. Abhinav Gupta, Adv.  
Ms. Pratibha Jain, AOR

UPON hearing the counsel the Court made the following

O R D E R

Heard.

We do not find any good ground warranting our interference with the order of eviction passed by the trial court and affirmed by the High Court.

The special leave petition is accordingly dismissed.

It is stated by learned counsel for the petitioner that the petitioner is running a small *paan* business in the shop in-question and it will be difficult for him to find alternative place for running her business.

Having regard to the submissions made at Bar, one year time i.e. upto 31<sup>st</sup> July 2019 is granted to the petitioner for vacating and handing over the peaceful possession of the shop in-question, subject to the petitioner filing an usual undertaking within four weeks from today and also that the petitioner shall pay charges at the rate of Rs.250/- (Rupees two hundred fifty) per month commencing from the month of August 2018.

We make it clear that in case of failure to hand over the vacant and peaceful possession the petitioner shall also be liable to contempt of this Court apart from the regular execution proceedings.

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

(MAHABIR SINGH)  
COURT MASTER

(PARVEEN KUMARI PASRICHA)  
BRANCH OFFICER