

IN THE HIGH COURT OF KARNATAKA
CIRCUIT BENCH AT DHARWAD
DATED THIS THE 13th DAY OF JANUARY, 2010
BEFORE
THE HON'BLE MR. JUSTICE V. JAGANNATHAN
HOSUE RENT REVISION PETITION NO.503/2010

BETWEEN:

1. SHRI DWARAKANATH, S/O GOPALRAO CHAWAN
AGE 56 YEARS, OCC: SERVICE,
R/O H.NO.181, NATH PAI CIRCLE,
SHAHAPUR, BELGAUM.
2. SHRI DINAKAR, S/O GOPALRAO CHAWAN
AGE 50 YEARS, OCC: BUSINESS,
R/O H.NO.181, NATH PAI CIRCLE,
SHAHAPUR, BELGAUM.

....PETITIONERS

(BY SRI. VISHWANATH BADIGER, ADV.)

AND:

1. SHRI. MOHAMMEDYUNUS, S/O USMANSAB CHIKKODI,
AGE 52 YEARS, OCC: BUSINESS, R/O CTS NO.1672,
ALWAN GALLI SHAHAPUR, BELGAUM.
2. SHRI NISARAHMED, S/O USMANSAB CHIKKODI
AGE 38 YEARS, OCC: BUSINESS, R/O CTS NO.1672,
ALWAN GALLI, SHAHAPUR, BELGAUM.

...RESPONDENTS

(BY SRI.R.M.KULKARNI, ADV. FOR C/RESPONDENTS)

THIS PETITION IS FILED UNDER SECTION 46(1) OF KARNATAKA RENT ACT, 1999, AGAINST THE JUDGMENT AND DECREE DATED 14/12/2009 IN HRC.RP.NO.13/2009 PASSED ON THE FILE OF THE PRINCIPAL DISTRICT JUDGE, BELGAUM DISMISSING THE REVISION PETITION AND CONFIRM THE ORDER DATED 28/2/2009 PASSED BY THE III ADDL. CIVIL JUDGE(JR.DN) BELGAUM IN HRC 80/2005 WHEREIN THE PETITION FILED U/SEC. 5 AND 27(2) (r) OF THE KARNATAKA RENT ACT, 1999, IS ALLOWED.

THIS PETITION COMING ON FOR ADMISSION THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

When the matter was taken up for admission, learned counsel for the petitioners submitted that the only prayer of the petitioners before this Court is to grant time to the petitioners to hand over the vacant possession of the premises in question and hence six months time is sought.

2. On the other hand learned counsel for the respondents submitted that three months time can be granted having regard to the fact that the petitioners have got other premises also.

3. In view of the above submission made, this petition is disposed of by granting six months time to the petitioners from the date of this order and the petitioners shall hand over the vacant possession of the premises in question to the respondents and shall also pay the rents till such time. The petitioners shall also file an affidavit giving the above undertaking within two weeks from the date of this order

Sd/-
JUDGE

kmv