

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 for Special Leave to Appeal (C) No. 10616/2022

(Arising out of impugned final judgment and order dated 11-04-2022 in CSA No. 2/2018 passed by the High Court of Jammu & Kashmir and Ladakh at Jammu)

TARSEM LAL

Petitioner(s)

VERSUS

SUDERSHANA SHARMA & ORS.

Respondent(s)

(FOR ADMISSION)

Date : 20-06-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE C.T. RAVIKUMAR
HON'BLE MR. JUSTICE SUDHANSHU DHULIA
(VACATION BENCH)

For Petitioner(s) Mr. Rishi Malhotra, AOR

For Respondent(s)

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

The captioned Special Leave Petition has been filed assailing the order dated 11.04.2022 passed by the High Court of Jammu & Kashmir and Ladakh at Jammu in Civil 2nd Appeal No. 2 of 2018.

Taking into account the fact that the eviction order dated 07.09.2013 passed in favour of respondents herein was upheld in First Appeal and again as per the impugned order dated 11.04.2022, we find no ground to interfere with the impugned order on re-appreciation of facts. Therefore, this petition must fail.

The learned counsel for the petitioner prays that the petitioner may be granted one year to vacate the premises in question in such circumstances. We are not inclined to grant the time as asked for. However, we are inclined to grant six months' time to the petitioner to vacate the suit premises in question, which he has to vacate pursuant to the order dated 11.04.2022 in the Second Appeal. In case the petitioner files an undertaking within four weeks from today that he would vacate the suit premises within a period of six months from today, he would be at liberty to occupy the premises in question for a period of six months from today. We make it clear that in case of his failure to file such an undertaking the period for further occupation, granted by this Court would automatically stand recalled.

Subject to the above, the Special Leave Petition stands dismissed.

Pending Pending application(s) shall also stand disposed of.

(RAJNI MUKHI)
COURT MASTER (SH)

(VIRENDER SINGH)
BRANCH OFFICER