

IN THE SUPREME COURT OF INDIA  
INHERENT JURISDICTION

CONMT.PET.(C) No. 1098/2023

IN

Civil Appeal No.6088/2011

PRAKASH SHETTY

Petitioner(s)

VERSUS

FAZALULLAH KHAN

Respondent(s)

O R D E R

The respondents are present in the Court.

Possession has since been handed over.

We have to actually hear the matter on sentence in view of our Order dated 15.9.2023.

Learned counsel for the respondents seek the mercy jurisdiction of this Court but then such a jurisdiction cannot be exercised without consequences and such a conduct where there has been over stay for two years.

On instructions, learned counsel for the respondents offer to make payment of Rs.50,000/- within one month for this over stay of two years to the petitioner within four weeks.

Subject to the aforesaid amount being paid, we deem it sufficient to say that the respondents should be careful in future and desist from imposing any sentence

or fine, in view of the aforesaid facts.

The contempt petition stands disposed of.

.....J.  
(SANJAY KISHAN KAUL)

.....J.  
(SUDHANSHU DHULIA)

NEW DELHI  
October 03, 2023

ITEM NO.35

COURT NO.2

SECTION IV-A

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

**CONMT.PET.(C) No. 1098/2023 in C.A. No. 6088/2011**

**PRAKASH SHETTY**

**Petitioner(s)**

**VERSUS**

**FAZALULLAH KHAN**

**Respondent(s)**

**([respondent will remain present in Court for hearing on sentence.  
all other parties being respondent Nos.2, 3, 4, 5 and 6 also remain  
present in Hon'ble Court] )**

**Date : 03-10-2023 This petition was called on for hearing today.**

**CORAM :**

**HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE SUDHANSHU DHULIA**

**For Petitioner(s) Mr. Anirudh Sanganerla, AOR**

**For Respondent(s) Mr. S. Nagamuthu, Sr. Adv.  
Mr. Abdul Azeem Kalebudde, AOR**

**Mr. Abhishek Kumar Singh, AOR  
Ms. Anamika Yadav, Adv.**

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

**The contempt petition stands disposed of in terms of the  
signed order.**

**Pending application, if any, stands disposed of.**

**(RASHMI DHYANI PANT)  
COURT MASTER**

**(POONAM VAID)  
COURT MASTER**

**(signed order is placed on the file)**