

**SUPREME COURT OF INDIA**

Ghisalal M.Agrawal (D)Thr.Lrs.

Vs.

Rameshwar @ Ramu Jawaharlal

C.A.No.3575 of 2012

(H.L.Dattu and Chandramauli Kr.Prasad JJ.)

16.04.2012

**ORDER**

1. Leave granted.
2. Heard learned counsel for the parties to the lis.
3. After hearing learned counsel for the parties to the lis and after carefully going through the impugned judgment, we are of the opinion that the High Court in Second Appeal was not justified in reversing the concurrent findings arrived at by the Trial Court and the first Appellate Court. Accordingly, we set aside the orders passed by the High Court and restore the orders passed by the Trial Court.
4. Since the respondents are holding back the premises in question from the last five decades, we are of the opinion that they will quit and deliver the vacant possession of the premises to the landlord. Accordingly, we direct the respondents to 1 deliver the vacant possession of the premises to the appellant(s) within a year's time from today. If, for any reason, the respondents fails to comply with the orders and directions issued by this Court, the appellant(s) is/are at liberty to take effective steps for evicting the premises. If necessity arises, the appellant(s) can also take the assistance of the police.
5. Learned counsel for the respondents will file the usual undertaking before this Court within four weeks' from today.
6. The appeal is disposed of accordingly. No costs.