

SUPREME COURT OF INDIA

Gurbachan Singh

Vs.

Ravinder Paul Mohindra

C.A.No.3939/2007

(Kurian Joseph and R.Banumathi,JJ.,)

22.03.2017

JUDGMENT

Kurian Joseph,J.,

1. Heard learned senior counsel appearing for the parties for quite some time.
2. Finding that there is a genuine human problem, we sought the assistance of Mr. R. Balasubramanian, learned counsel, to see whether the parties could agree for an amicable settlement of the disputes.
3. We are happy to note that Mr. R. Balasubramanian, learned counsel, has been successful in making the parties agree for a reasonable settlement. Accordingly, this appeal is disposed of as follows:

“i) The appellant shall surrender vacant and peaceful possession of the premises in question on the last day of the month in which Deepawali falls in the year 2019.

ii) The appellant shall not induct any sub-tenant and if there is anybody now occupying the premises, the appellant shall see that the said person also vacates the premises by the date mentioned above.

iii) The respondents will not make any claim for manse profits.

iv) The appellant shall file an undertaking before this Court on usual terms within three weeks from today.

v) In case the undertaking is violated, the appellant shall be proceeded against, for contempt as well.

vi) During the period of occupation, as above, the appellant shall continue to pay the same amount which he is paying currently, towards use and occupation charges. From

the month of April, 2017 onwards the use and occupation charges shall be paid by the appellant by way of a cheque drawn in the name of Respondent No.1.

vii) The respondent No.1 is free to withdraw all the amount now lying in deposit, along with the accrued interest.

viii) It is also made clear that all the conditions imposed by the High Court shall stand modified and substituted, as above.”

4. We record our appreciation for the earnest efforts taken in record time by Mr. R. Balasubramanian, learned counsel.

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

6. There shall be no orders as to costs.