

**SUPREME COURT OF INDIA**

Ved Prakash Arya @ Ramjee

Vs.

Panna Lal

C.A.No.6908 of 2008

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

22.03.2017

**JUDGMENT**

**Kurian Joseph,J.,**

1. The appellants, who are the tenants under the respondents, unsuccessful before the High Court, have filed this appeal.

2. On 12.03.2004, notice was issued on the following terms:-

"Issue notice to the respondents to show cause as to why all the proceedings be not set aside in view of the Uttar Pradesh Urban Buildings (Regulation of Letting, Rent & Eviction) Act No. 13 of 1972 being not applicable to trust property. Issue notice on interim relief. The possession of the petitioners over the suit property shall remain protected until further orders."

3. Having extensively heard the learned counsel for the parties, we do not find that in the peculiar facts of this case, the above question needs to be gone into.

4. Faced with such a situation, the learned counsel for the appellants sought some time to vacate the premises. The civil appeal is, hence, dismissed, however, subject to the following:-

“i) The appellants are granted time up to 30.06.2018 to surrender vacant and peaceful possession of the premises in question to the respondents.

ii) The appellants shall file a usual undertaking before this Court within four weeks from today.

iii) Towards use and occupation charges, the appellants shall continue to remit the amount that is being remitted now.”

5. It is made clear that in case the undertaking is violated, apart from any other steps, the appellants shall be liable for proceedings for contempt before this Court.