

CASE NO.:  
Appeal (civil) 1796 of 2008

PETITIONER:  
SHAFIULLAH

RESPONDENT:  
MOHD.ZAKARIA & ANR

DATE OF JUDGMENT: 03/03/2008

BENCH:  
TARUN CHATTERJEE & HARJIT SINGH BEDI

JUDGMENT:  
JUDGMENT

R D E R

CIVIL APPEAL NO.1796 OF 2008  
(Arising out of SLP(C) No.4372 of 2008)

Leave granted.

Heard learned counsel for the parties.

This appeal arising out of Special Leave Petition has been filed against the Judgment and final order dt.22.01.2008 passed by the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow in Writ Petition No.163 of 2007 (R/C). After hearing the learned counsel for the parties and after going through the impugned order, we are of the view that no interference is required at this stage so far as the order of eviction is concerned. However, considering the facts and circumstances of the case we delete the portion in which the High Court has directed to pay Rs.200/- per month w.e.f.01.04.1980 till the delivery of possession. The order of the High Court is modified to that extent.

The period of undertaking to be filed before the High Court is extended for a further period of one month from this date.

The appeal is disposed of accordingly.

There shall be no order as to costs.