

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

CONTEMPT PETITION [C] NO.313 OF 2007

IN

SPECIAL LEAVE PETITION [C] NO.17948 OF 2006

Goli Bhaskara Rao

...Appellant(s)

Versus

Reddy Venkateswasra Rao & Anr.

...Respondent(s)

O R D E R

This Court, on 21st August, 2007, passed the following order:

"While dismissing the special leave petition on 13th November, 2006, dispossession of the petitioners was stayed till 31st of August, 2007, subject to the petitioners filing the usual undertaking within four weeks from the date of the order. Pursuant to the said order, undertaking was filed in this Court. The present application has been filed by the petitioners-applicants, seeking extension of the order of dispossession till 31st December, 2007.

Mr. Gireesh Kumar, Adv. appearing for the respondent agrees to the extension being allowed up to 30th of September, 2007. Accordingly, the dispossession of the petitioners-applicants from the premises in question is extended till 30th of September, 2007. Needless to mention, the petitioners shall hand over the vacant and peaceful possession of the premises to the respondent on or before the 30th of September, 2007.

The I.A. stands disposed of accordingly."

...2/-

In pursuance of the order of this Court, referred to above, the petitioner was under an obligation to hand over possession of the premises on or before 31st August, 2007.

Learned counsel appearing on behalf of the petitioner, namely, Goli Bhaskara Rao, submitted that possession has yet not been given.

The petitioner has filed this contempt petition in which notice was issued by this Court. Despite service of notice, the respondents, namely Reddy Venkataeswar Rao and Reddy Koteswara Rao, are not present. In this view of the matter, we direct the District Judge, Visakhapatnam, Andhra Pradesh, to take possession of the property in question and hand over the same to the petitioner, namely, Goli Bhaskara Rao. The learned District Judge is requested to send a report to this Court within four weeks from today. The learned District Judge would be entitled to take police assistance, if so required.

The contempt petition is, accordingly, disposed of.

.....J.
[DALVEER BHANDARI]

.....J.
[DR. MUKUNDAKAM SHARMA]

New Delhi,
October 23, 2009.