
(2010) 12 UK CK 0183
In the Uttarakhand High Court
Case No : Civil Revision No. 42 of 2010

Central Bank of India

APPELLANT

Vs

Smt. Susheela Devi and Others

RESPONDENT

Date of Decision : 13-12-2010

Acts Referred:

Provincial Small Cause Courts Act, 1887 — Section 25

Citation : (2010) 12 UK CK 0183

Hon'ble Judges : Sudhanshu Dhulia, J

Bench : Single Bench

Judgement

Sudhanshu Dhulia, J.—Heard learned Counsels for the parties.

2. This is a revision u/s 25 of Provincial Small Causes Court Act, 1988 filed by the landlord, challenging the order of the court below dated 21.8.2010 Smt. Susheela Devi and Ors. v. Central Bank of India S.C.C. No. 3 of 2008 However on 23.11.2010, a direction was given by this Court to the revisionist to file an affidavit. Today, the affidavit has been filed, by which the revisionist has given an undertaking that he will vacate the disputed premises within one year from today. The revisionist is before this Court against a decree of eviction.

3. In the order of the Small Causes Court, the revisionist was to handover the possession of the disputed property to the landlord within three months and it was also stated that he will also give an amount of Rs. 3,750/- per month calculated since 20.3.2008. All the same, in view of the affidavit filed by the revisionist before this Court, wherein he undertakes to vacate the premises within one year, he shall now vacate the premises on or before 31.12.2011. Meanwhile, he shall keep on depositing the rent including the entire arrears at the rate of Rs. 3,750/- per month, as given in the order of the court below. The learned Counsel for the Respondents has no objection if the matter is also disposed of in the aforesaid terms and conditions, whereby the revisionist has given undertaking to vacate the premises within one year.

4. With these observations, civil revision is disposed of.
5. No order as to costs.