

Applicant-wife submits that it will take some time for the Applicant-wife to find out alternate premises on 'leave and licence' basis. He submits that six months time may be given to her to vacate the premises. This, however, is vehemently opposed by the learned counsel appearing on behalf of the Respondent-husband. She submits that time was given on various occasions to the Applicant-wife and she has been staying in the said premises for the last two years. It is submitted that husband is paying penal rent since the premises are occupied by the wife. She submits that no further extension may be granted.

3. We are informed by the learned counsel appearing on behalf of the Applicant-wife that railway authorities have no objection for giving some more time to the Applicant-wife to vacate the premises.

4. The Applicant is a wife of the Respondent-husband and she is not a stranger, who has been inducted in the premises, and as such, strictly speaking the railway authorities cannot charge penal rent on the Respondent-husband. If such rent is charged, the same may be refunded to the husband. However, he shall pay usual rent, which is

otherwise payable by him.

5. We, therefore, grant extension of three months to the Applicant-wife to vacate the premises. It is clarified that no further extension will be granted and if she does not vacate the premises at the end of three months, she may be forcibly evicted. Civil application is accordingly disposed of in the aforesaid terms.

. Parties to act on an authenticated copy of this order.

Sd/- Sd/-
[Dr. SHALINI PHANSALKAR-JOSHI, J.] [ACTING CHIEF JUSTICE]

Vinayak Halemth