

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

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SECOND APPEAL NO.893 OF 2015

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ORDER:

This second appeal is filed by the defendant in O.S.No.927 of 2009, whereby, eviction of the defendant was ordered by the Principal Junior Civil Judge, Ranga Reddy District vide decree and judgment dated 28.09.2012. Aggrieved by the said decree and judgment, the defendant preferred A.S.No.347 of 2012 before the X Additional District & Sessions Judge (FTC), Ranga Reddy District at L.B. Nagar, which ended in dismissal by decree and judgment on 23.11.2015. Hence, the present second appeal is filed under Section 100 of the Civil Procedure Code raising various contentions.

At the time of admission, learned counsel for the appellant/defendant filed a memo undertaking to vacate the premises within six months and requested to grant six months time.

However, learned counsel for the respondent did not agree for granting six months time, as he is paying Rs.15,000/- to his landlord, towards rent of sweet shop and he required the premises bonafidely for his occupation.

Considering the circumstances of the case, including the requirement of the appellant, I consider it appropriate to grant four months time to the appellant/defendant to vacate the schedule premises. Hence, the appellant is directed to vacate the schedule premises within four months from today and deliver vacant possession of the premises to the respondent.

The appellant is directed to pay arrears of rent to the respondent, after adjusting the security deposit, if any, and any other advance lying with the respondent.

With the above direction, the second appeal is disposed of.

Consequently, miscellaneous applications pending if any shall

also stand dismissed. No costs.

JUSTICE M. SATYANARAYANA MURTHY

Date:19.07.2016

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