

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

SA No.1387 of 2017

JUDGMENT::

The defendant in the suit OS No.190 of 2014 is the appellant herein. Suit OS No.190 of 2014 was filed by the plaintiff-respondent herein seeking eviction of the appellant on the ground that the suit schedule house was put to use as godown, though the lease was for residential purpose. The trial Court having framed necessary issues and on consideration of the evidence adduced by the parties, decreed the suit directing the defendant-appellant to vacate the suit schedule house and handover vacant possession thereof to the plaintiff-respondent within a period of two months from the date of the order. The judgement and decree passed in the said suit was unsuccessfully appealed against by the defendant-appellant in appeal AS No.33 of 2015. Aggrieved by the concurrent finding recorded against him by both the Courts below, this second appeal is filed.

2. Heard learned counsel for the parties. Having perused the judgements passed by both the Courts below, I do not find any question of law, muchless substantial question involved in this second appeal. As seen from the judgement of the lower appellate Court, during the course of evidence, the defendant-appellant himself had undertaken to vacate the premises in question, if reasonable time is allowed to him.

3. Learned counsel for the appellant-defendant now also seeks reasonable time to enable the appellant to vacate the premises, which was opposed by respondent's counsel. In the circumstances,

though the learned counsel for the appellant sought for six months time, inasmuch as the appellant had sufficient time, more so in the light of the undertaking given by him, three months time from today is granted to the appellant to vacate the premises in question, subject to giving an undertaking and also pay the arrears of rent if any. The second appeal is accordingly dismissed. Miscellaneous petitions, if any pending shall also stand dismissed. No order as to costs.

A. RAJASHEKER REDDY, J

Dated: 05-01-2018
NRG



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