

**2023 STPL(WEB) 27 SC  
SUPREME COURT OF INDIA**

(SURYA KANT AND M.M. SUNDRESH, JJ.)

**SARLA AMRITBHAI MOMAYA DECEASED AND ANOTHER**

Appellant

*VERSUS*

**VINAYAK GOVIND SANDU AND OTHERS**

Respondent

Special Leave Petition (Civil) Diary No. 8457 of 2023-Decided on 20-06-2023

**Eviction – No interference – Four months granted to vacate the premises Subject to Conditions**

Advocate(s): Mr. Shivaji M. Jadhav, Advocate, Mr. Adarsh Pandey, Advocate, for the Appellant;  
Mr. Sahil Bhalaik, Advocate, Mr. Tushar Giri, Advocate, for the Respondent.

**ORDER**

1. Application seeking exemption from filing certified copy of the impugned order is allowed.
2. Delay condoned.
3. Application for substitution is allowed and the legal heirs of the deceased petitioner are brought on record.
4. Cause title be amended accordingly.
5. We have heard learned counsel for the petitioners as well as learned counsel for respondents and perused the material placed on record.
6. In our considered view, no case to interfere with the impugned order dated 16-02-2023 passed by the High Court of Judicature at Bombay, is made out.
7. The Special Leave Petition is, accordingly, dismissed.
8. Faced with this, learned counsel for the petitioners seeks some time to vacate the premises.
9. Taking into consideration the peculiar facts and circumstances of this case, four months' time from today is granted to the petitioners to vacate the premises, subject to the conditions that:-
  - (i) the petitioners shall file an undertaking by way of an affidavit before the Small Causes Court within one week to the effect that they shall hand-over peaceful vacant possession of the premises to the respondents landlord on or before expiry of the period of four months from today;
  - (ii) the petitioners shall pay the arrears of rent, if any, within two weeks from today;
  - (iii) the petitioners shall continue to pay the future rent on or before 10th of every month till vacation of the premises.

-----