

30.

21.12.93.

RA 435/93

OA 3097/91

Present: Sh. B.B. Raval, counsel for the applicant.

Sh. Jog Singh, counsel for the respondents.

The applicant has filed RA 435/93 which we treat in the circumstances of the case as an MA, seeking additional time to the applicant to vacate the quarter in respect of which a direction has been given in para 24 (iv) (b). According to this direction the applicant was to vacate the quarter within one month from the date of this order. It is stated in the MP that the order has been received only on 23.11.93 and the applicant is also stated to be <sup>in</sup> different health, having undergone some surgery.

We have heard the learned counsel for the respondents also. In view of the submissions made before us, we take a sympathetic view in this matter and modify our direction in para 24(iv)(b) to the extent that the applicant is directed to vacate the quarter on or before 31.3.94 and accordingly, rent will be charged from him at the rate of Rs.240 only upto that date and in case he fails to vacate the quarter the other consequences mentioned in the order would follow. MA is disposed of accordingly. A copy of this order be given to the learned counsel of both the parties.

(B.S. Hegde)

Member(J)

(N.V. Krishnan)

Vice-Chairman