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IN THE HIGH COURT OF KARNATAKA AT BANGALORE.

Dated the 17th day of April 1998.

BEFORE

THE HON'BLE MR. JUSTICE H. RANGAVITTALACHAR.

H. R. R. P. NO. 330 OF 1998.

BETWEEN:

Sri. K. Narayana Rao,
S/O late Krishna Rao,
Aged 61 years,
R/at Rathnagiri Road,
Chikmagalur.

PETITIONER.

(By Sri.V. Lakshminarayana for petitioner)

AND:

P.V.Rama Rao,
S/O P. Venkata Rao,
Aged: 75 years,
Tailor,
Ramanarayana & Co.,
M.G. Road,
Chikmagalure.

RESPONDENT.

(By Sri.C.N. Kamath, for respondent)

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This H.R.R.P. is filed under Section 115 of C.P.C. against the order dated 8-1-1998 passed in R(R) No. 34/95 on the file of the Addl. Dist. Judge, Chikmagalur, dismissing the revision petition and confirming the order passed in HRC No. 3/92 dated 5-4-1995 on the file of the Prl. Munsiff and JMFC, Chikmagalur etc.,

This petition is coming on for admission this day, the Court made the following:

O R D E R.

O R D E R

The only submission made by the learned counsel for the petitioner-tenant is that having regard to the fact that his client ~~has~~^{was} been running a hotel, the livelihood of the workers are also involved three years time may be granted for vacating the premises. Sri.C.N.Kamath, learned Counsel appearing for the landlord opposes for grant of any time beyond one year. Having regard to the facts and circumstances of the case viz., the livelihood of the workers are also involved, two years time is granted to the petitioner-tenant to quit and deliver vacant possession subject to the following conditions:

1. That the tenant shall file an affidavit undertaking to vacate the premises voluntarily.

2. The affidavit shall be filed within 6 weeks after serving copy of the same on the other side.

H.R.V.

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3. Tenant shall pay the rents regularly as and when it falls due.

4. The tenants shall not sub-let or sub-lease

Sd/-
JUDGE

Lr/-