

ITEM NO.8

COURT NO.7

SECTION XI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 11584/2019

(Arising out of impugned final judgment and order dated 31-10-2018 in MP No. 7267/2018 passed by the High Court Of Judicature At Allahabad)

BHARAT PETROLEUM CORPORATION LTD. & ORS.

Petitioner(s)

VERSUS

SANJEEV ARORA & ORS.

Respondent(s)

(FOR ADMISSION, IA 61922/2019 – Exemption from filing O.T.)

Date : 08-05-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE R. BANUMATHI
 HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Petitioner(s) Mr. Tushar Mehta, S.G.
 Mr. Rajeev Mishra, Adv.
 Mr. Sanand Ramakrishnan, AOR

For Respondent(s) Mr. P.S. Narsimha, Sr. Adv.
 Mr. Avi Tandon, Adv.
 Mr. Anish Agarwal, Adv.
 Ms. Vanshika Gupta, Adv.
 Ms. Meghna Tandon, Adv.
 Mr. Vibhooti Malhotra, AOR

UPON hearing the counsel the Court made the following
O R D E R

We have heard Mr. Tushar Mehta, learned Solicitor General, appearing for the petitioner-Corporation, Shri P.S. Narsimha, learned Senior counsel assisted by Shri Vibhooti Malhotra, learned counsel who is on caveat for respondent no. 2. Notice shall issue to the remaining respondents.

Learned counsel, Shri Tushar Mehta, appearing for the petitioner-Corporation has submitted that the rent fixed is abnormal and not fixed on any rational basis .

Shri. P.S. Narsimha, learned Senior counsel appearing for respondent no. 2, has submitted that area of the land relating to dispute in the matter is approximately

39,375 square feet, and the petitioner-Corporation is not paying any rent. It is further represented that rent which is fixed vide impugned order is a fair rent, prevailing in the area.

Having heard the learned counsels on both sides, as we are close to Summer Vacation, as an interim measure, we deem it appropriate to pass the following order:

There shall be interim stay, on condition that the petitioner-Corporation deposits arrears of rent, at the rate of Rs.4,00,000/-(Rupees Four Lakhs) per month within a period of two months from today before Registry of this Court and also shall continue to pay Rs.4,00,000/- per month towards rent on or before 10th of each calendar month, commencing from the month of May, 2019.

On deposit of the amount towards arrears, as indicated above, respondents are permitted to withdraw the said amount without furnishing any security. The rent at the rate of Rs.4,00,000/- per month, shall be paid to the respondents on or before 10th of each calendar month and so far the rent for the month of May, 2019 is concerned, we permit the petitioner-Corporation to pay on or before 20th of May, 2019.

We make it clear that the deposit of arrears and the monthly payment of rent, by the petitioner-Corporation, is without prejudice to the rights of the parties and the same is subject to final orders to be passed by this Court.

(MAHABIR SINGH)
COURT MASTER

(PARVEEN KUMARI PASRICHA)
BRANCH OFFICER