



IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 4332/2009

SWADESHI COMMERCIAL CO. LTD. AND ANR. APPELLANT(S)

VERSUS

UNION OF INDIA AND ORS RESPONDENT(S)

J U D G M E N T

KURIAN, J.

The appellants are before this Court, aggrieved by the judgment and order dated 30.11.2006 passed by the High Court of Calcutta in A.P.O. No.361 of 2004 in W.P. No.892 of 2002. Except for the divesting part, the judgment is in favour of the appellants.

2. During the course of hearing, we have ascertained that the respondents will surrender vacant possession by 31.03.2020 and will clear all the dues within a period of one month from today and will continue to pay the same amount which was being paid towards use and occupation charges till 31.03.2020. Ordered accordingly.

3. In that view of the matter, the appeal is disposed of leaving the question of law open.

4. However, we direct the respondents to file an undertaking before this Court to this effect within one month from today.

5. Pending applications, if any, shall stand disposed of.

6. There shall be no orders as to costs.

.....J.
[KURIAN JOSEPH]

.....J.
[SANJAY KISHAN KAUL]

NEW DELHI;
AUGUST 14, 2018.