

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 (Civil) No.9037/2001

(From the judgement and order dated 26/06/2000 in CO 463/99  
of The HIGH COURT OF CALCUTTA)

RAMPURIA ESTATES PVT. LTD.

Petitioner (s)

VERSUS

M/S. BIJAY TRACTOR SPARES PVT. LTD.

Respondent (s)

( With Appln(s). for c/delay in filing SLP and permission to submit  
additional documents and with prayer for interim relief and Office  
Report)  
( For Final Disposal )  
With

SLP(C)No.7706/2001,SLP(C)No.7727/2001,SLP(C)No.9040/2001

( With Appln(s). for c/delay in filing SLP and permission to submit  
additional documents and with prayer for interim relief and Office  
Report)  
( For Final Disposal )

Date : 14/03/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE U.C. BANERJEE  
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Petitioner (s) Dr. A.M. Singhvi, Sr. Adv.  
Mr. Arvind Varma, Adv.  
Ms. Sangeeta Mandal, Adv.  
Mr. Amit Bhandari, Adv.  
Ms. Sunali Anand, Adv. for  
M/s Fox Mandal & Co.,Adv.

For Respondent (s) Mr. Rajesh,Adv.

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

.....L.....I.....T.....T.....T.....T.....T.....T.....J.  
.SP2

Heard learned counsel for the parties for ten  
minutes.

Delay condoned.

Leave granted in all the special leave  
petitions.

..2/-

The appeals are allowed in terms of the signed  
order. No costs.

.SP1

(R.K. Dhawan) (K.K. Chawla) (D.D. Jindal)  
Court Master Court Master Asstt. Registrar

[Common signed order is placed on the file]

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2169 OF 2002@@  
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC  
(Arising out of S.L.P.(C) No.9040/2001)

Rampuria Estates Pvt.Ltd.

Appellant(s)

versus

M/s. Bijay Tractor Spares Pvt. Ltd.

Respondent(s)

O R D E R@@  
CCCCCCCC

.....L.....I.....T.....T.....T.....T.....T.....T.....J.

.SP2

Delay condoned.

Leave granted.

During the course of hearing of this matter, the learned advocate appearing for the respondent, in his usual fairness, stated before the Court that as regards the Godown being the subject matter of this appeal, question of raising any dispute as regards the ownership and the filing of eviction petition by one of the landlords cannot be doubted. In that view of the matter, question of sustaining of the order as passed by the High Court would not arise. The orders of the trial court and the High Court stand set aside. The appeal is allowed accordingly.

No costs.

WITH@@  
CCCC

CIVIL APPEAL NOS.2166, 2167, 2168 OF 2002@@  
CC  
(ARISING OUT OF SLP (CIVIL) NOS.9037, 7706 & 7727 OF 2001)

....2/-

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Leave granted.

Having regard to the identity of the situation similar order is passed as that in Civil Appeal No.2169/2002 arising out of SLP(C) No. 9040 of 2001 in these matters as well. The appeals are, therefore, allowed. The orders of the trial court and the High Court stand set aside.

No costs.

.SP1

.....J.

(U.C. Banerjee)

.....J.  
(B.N. Agrawal)

New Delhi,  
March 14, 2002.