

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).5093/2007

(From the judgement and order dated 04/12/2006 in CMA No. 299/2003 &  
CMP No.1381/2006 of The HIGH COURT OF MADRAS)

HINDUSTAN PETROLEUM CORP.LTD.

Petitioner(s)

VERSUS

MALINI PARTHASARTHY

Respondent(s)

(With prayer for interim relief and office report )  
with IA No.3(application for compromise)

Date: 28/07/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE V.S. SIRPURKAR

For Petitioner(s) Mr. Parijat Sinha,Adv.

For Respondent(s) Mr. E.R.Kumar, Adv.  
Mr.Samit Parekh, Adv.for  
M/S. Parekh & Co.UPON hearing counsel the Court made the following  
ORDER

Parties have entered into a written compromise, a copy of the same has been attached as 'Annexure -1' with interlocutory application No.3 filed jointly praying that the special leave petition be disposed of in terms of the compromise arrived at between the parties. In support of settlement, parties have filed their affidavits. The terms of the settlement are:

"1. Whereas the Respondent, in consultation with Petitioner has purchased a plot of land admeasuring about 145 cents at Eraiyangadu Village, Vellore District, Tamil Nadu.

2. Whereas the Respondent has executed a land lease agreement dated 22nd April, 2008 in favour of the Petitioner viz. Hindustan Petroleum Corporation Ltd. by which the said plot of land is leased in favour of the Petitioner for running a Company-owned petrol station, for which Petitioner will pay a mutually agreed rent.

3. Whereas within one month of the Respondent handing over possession of the alternative site, Petitioner will hand over to the Respondent the vacant possession of the land at dispute in this Case Viz. the plot of land on Cathedral Road, Chennai, after removing all the structures including underground storage tanks etc.

4. Whereas both the parties have agreed to withdraw all suits, petitions and appeals before the Courts, including this Special Leave Petition before the Supreme Court and the eviction suit in the City Civil Court, Chennai."

Accordingly, this special leave petition is disposed of in terms of the settlement, quoted above, arrived at between the parties. The Order of the High Court is accordingly modified. Since this special leave petition is being disposed of in terms of the compromise arrived at between the parties, the question of law is left open.

(Parveen Kr. Chawla)  
Court Master

(Kanwal Singh)  
Court Master