

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.8134 OF 2012

M/S. HINDCO ROTATRON PVT.LTD.APPELLANT

VERSUS

RADHA KRISHAN TEMPLE TRUST & ORS.RESPONDENT

O R D E R

We have heard Mr. Chandra Shekhar, learned counsel appearing for the appellant and Mr. R.M. Sinha, learned Counsel appearing for respondent no.1.

Substitution application for bringing on record the the legal representative of deceased Brij Kumar Sharma, Trustee of respondent-Trust, is allowed.

Mr. Shekhar, learned counsel appearing for the appellant, submits that possession of the entire premises shall be handed over to the Respondent-Trust within a period of two weeks.

There may not be any difficulty in handing over the possession of the premises in question for the reason that Appellant-M/s Hindco Rotatron Pvt. Ltd., has already got possession of the premises in question from the Bank which is reflected from this Court's order dated 08.08.2013.

Mr. R. M. Sinha, learned counsel appearing for the respondent-Trust fairly submits that as against the arrears of rent whatever this Court decides, the respondent-Trust is agreed to accept the same.

We, therefore, direct the appellant to pay a sum of Rs.10,000/- (Rupees ten thousand only) towards the damages to the respondent-Trust which the learned counsel appearing for the respondent-Trust has agreed to accept.

Mr. Shekhar, learned counsel, undertakes to hand over the key of the premises in question to the respondent-Trust within two weeks from today.

With the aforesaid directions, this appeal stands disposed of.

As a good gesture, both the learned counsel appearing for the parties submit that if any amount much less Rs.60,000/- (Rupees sixty thousand only) has been deposited by the Bank pursuant to the direction given by this Court on 11.01.2013, the said amount shall be sent to the Supreme Court Legal Services Committee for using the same to the services of the poor.

.....J
[M. Y. EQBAL]

.....J
[S. A. BOBDE]

NEW DELHI;
MAY 14, 2015.

ITEM NO.101

COURT NO.9

SECTION XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No.8134/2012

M/S. HINDCO ROTATRON PVT.LTD.

Appellant(s)

VERSUS

RADHA KRISHAN TEMPLE TRUST & ORS.

Respondent(s)

(With appln. (s) for substitution and office report)

Date : 14/05/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.Y. EQBAL
HON'BLE MR. JUSTICE S.A. BOBDEFor Appellant(s) Mr. Chandra Shekhar, Adv.
Mr. Sanjay Kumar Tyagi, Adv.
Ms. Sandhaya Gupta, Adv.For Respondent(s) Mr. R.M. Sinha, Adv.
For Mr. Arun K. Sinha, Adv.
Mr. Rajiv Nanda, Adv.UPON hearing the counsel the Court made the following
O R D E R

Substitution application for bringing on record the the legal representative of deceased Brij Kumar Sharma, Trustee of respondent-Trust, is allowed.

This appeal stands disposed of in terms of the signed order.

(Sanjay Kumar-II)
Court Master(Indu Pokhriyal)
Court Master

(Signed Order is placed on the file)