

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NOS. 10359-10361 OF 2014

**HINDUSTAN PETROLEUM CORPORATION
LIMITED AND ANOTHER**

APPELLANTS

VERSUS

**V. SREEHARI (DEAD) THROUGH LRS AND
OTHERS**

RESPONDENTS

ORDER

1. These appeals have been filed challenging the common order dated 07th June, 2010 passed in C.R.P.(PD) No. 579 of 2004, Tr. C.M.A. No. 3218 of 2004 & C.M.P. No. 3413 of 2005 in Tr. C.M.P. No. 7297 of 2004 and order dated 21st December, 2010 passed in Review Application No.130 of 2010 in Tr. C.M.A. No. 3218 of 2004 by the learned Single Judge of the High Court of Judicature at Madras.

2. After hearing learned counsel for the parties, we are not inclined to interfere in the impugned orders.

3. At this stage, learned Senior Counsel appearing for the appellants submitted that to vacate the premises in question

sometime may be granted subject to furnishing of undertaking. It is also urged that the entire litigation regarding *mesne* profits pending in the Court and the Suit OS No. 9879/1994, pending in the City Civil Court Madras, may be ordered to be disposed of.

4. On being asked the learned Senior counsel appearing for the respondents states that his clients are interested to take back the possession of the subject property. It is fairly stated that on filing of the undertaking and vacating the subject premises within the time as granted by this Court, the entire litigation pending between the parties in respect of the land in question may be directed to be disposed of.

5. Having considered the submissions made by learned counsel for the parties, we dispose of these appeals with the following directions:

I. The premises in question shall be vacated by the appellants on or before 15th November, 2025, subject to payment of arrears of rent, if any, within one month and regular monthly rent of ₹25,000/- on month-to-month basis or in advance.

II. After vacating the suit premises on or before the said

date, the keys of the property in question shall be deposited by the appellants to the Court dealing with the pending Suit, i.e. OS No. 9879/1994. On receiving the keys, the Court concerned shall handover the same to the party entitled to the same and the Suit will be disposed of in terms of this order.

III. On deposit of keys in Court all litigations between the parties pending in Court shall stand disposed of.

IV. The appellants shall file a usual undertaking in this regard within a period of two weeks from today before the Registrar, High Court of Madras.

V. The violation of the aforesaid terms shall be treated as non-compliance of the order of this Court.

.....**J.**
(J.K. MAHESHWARI)

.....**J.**
(RAJESH BINDAL)

NEW DELHI
NOVEMBER 06, 2024

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 NOS. 10359-10361/2014

HINDUSTAN PETROLEUM CORPORATION LIMITED
AND ANOTHER

APPELLANT(S)

VERSUS

V. SREEHARI (DEAD) THROUGH LRS AND OTHERS

RESPONDENT(S)

(IA No. 110848/2024 - EARLY HEARING APPLICATION, IA No.
103937/2018 - EARLY HEARING APPLICATION,)

Date : 06-11-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.K. MAHESHWARI

HON'BLE MR. JUSTICE RAJESH BINDAL

For Appellant(s) Mr. P S Patwalia, Sr. Adv.
Mr. Sanjay Kapur, AOR
Mr. Surya Prakash, Adv.
Mr./Ms. Deveshi Chand, Adv.

For Respondent(s) Ms. Meena C. R., AOR (Not present)

Mr. R. Balasubramanian, Sr. Adv.
Mr. P.R. Kovilan Poongkuntran, Adv.
Mrs. Geetha Kovilan, AOR
Mr. Jubli Momalia, Adv.
Mr. B. Venkatraman, Adv.

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

1. Appeals are disposed of in terms of the signed order, which is placed on the file.
2. Pending application(s), if any, is/are disposed of.

(POOJA SHARMA)
COURT MASTER (SH)

(NAND KISHOR)
COURT MASTER (NSH)