

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No.422 OF 2011

BHARAT PETROLEUM CORP.LTD.& ORS.APPELLANTS

VERSUS

RAJIV SAMPAT & ORS.RESPONDENTS

O R D E R

Heard learned senior counsel for the parties.

Learned senior counsel for the appellants has painstakingly taken us through the narration in C.S.No.121 of 1998, which is available on the record of the civil appeal as Annexure P-13. Having done so, it is the contention of the learned senior counsel for the appellants that no rights vest in the appellants under Section 9 of the Tamil Nadu City Tenants Protection Act, 1921 (hereinafter referred to as 'the Act') insofar as C.S.No.121 of 1998 is concerned. In the above view of the matter, we are of the view that the filing of the application under Section 9 of the Act by the appellants within the period of limitation or beyond the period of limitation would be inconsequential. Thus viewed, we find no justification whatsoever to adjudicate upon the controversy before us at the behest of the appellants.

The appeal is accordingly dismissed.

Needless to mention that if any proceedings are initiated by the respondents against the appellants for the appellants'

eviction and a right accrues to the appellants therein under Section 9 of the Act, it shall be open to the appellants to move such an application under Section 9 of the Act in accordance with law. In such eventuality, the competent Court shall examine it, unmindful of the conclusions drawn by the High Court in the impugned order dated 22.12.2009.

.....J.
(JAGDISH SINGH KHEHAR)

.....J.
(ABHAY MANOHAR SAPRE)

NEW DELHI;
SEPTEMBER 11, 2014.

ITEM NO.102 (PH)

COURT NO.6

SECTION XII

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 SCivil Appeal No(s). 422/2011

BHARAT PETROLEUM CORP.LTD.& ORS.

Appellant(s)

VERSUS

RAJIV SAMPAT & ORS.

Respondent(s)

(With office report)

Date : 11/09/2014 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

For Appellant(s) Mr.Sudhir Chandra, Sr.Adv.
Mr.Anil Kumar Mishra, Adv.
Mr. Parijat Sinha, Adv.For Respondent(s) Mr.R.Balasubramanian, Sr.Adv.
Mr.Nikhil Swami, Adv.
Mr.Karunakaran, Adv.
Mrs. Prabha Swami, Adv.

Mr. P. V. Yogeswaran, Adv.

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

The appeal is dismissed in terms of the signed order.

(SATISH KUMAR YADAV)
COURT MASTER(PHOOLAN WATI ARORA)
ASSISTANT REGISTRAR

(Signed order is placed on the file)