

ITEM NO.4

COURT NO.7

SECTION XI

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 (C) No(s).16235-16236/2009  
(From the judgement and order dated 07/11/2008 in CMWP No.  
6779/1995 & CMWP No. 11406/1995 of The HIGH COURT OF JUDICATURE  
AT ALLAHABAD)

ADMA TANDON

Petitioner(s)

VERSUS

STATE OF U.P.& ANR. Respondent(s)  
(With appln(s) for exemption from filing O.T., permission to  
file additional documents,permission to file lengthy list of  
dates and prayer for interim relief and office report ))

Date: 13/07/2011

These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HARJIT SINGH BEDI  
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Petitioner(s)

Mr. Dinesh Kumar Garg,Adv.  
Mr. Abhishek Garg, Adv.  
Mr. Abhishek Tandon, Adv.  
Mr. A.K. Bhardwaj, Adv.

For Respondent(s)

Mr. S.R. Singh, Sr. Adv.  
Mr. Shail Kumar Dwivedi, AAG.  
Mr. D.K. Goswami, Adv.  
Mr. Shrish Kumar Misra, Adv.  
Mr. Sanjay Goswami, Adv.  
Mr. Ram Krishna, Adv.

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

Leave granted.

The appeals are disposed of in terms of the signed  
order.

Parties are directed to appear before the  
Additional District Judge either in person or through  
counsel on the date already fixed i.e. 25th July, 2011.

C.A. Nos. of 2011 @ SLP(C) 16235-16236 of 2006

[KALYANI GUPTA]

[VEENA KHERA

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[SIGNED ORDER IS PLACED ON THE FILE.]  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 5883-5884 OF 2011  
[ARISING OUT OF S.L.P.(C) NOS. 16235-16236 OF 2006]

LANT PADMA TANDON ..... APPEL  
NDENTS STATE OF U.P. & ANR. .... RESPO

O R D E R

1. Leave granted.

2. We have heard learned counsel for the parties.

for the clients if the above terms.  
3. Mr. D.K. Garg, the learned counsel appellant, has received instructions from his that at this stage, they would be satisfied if a direction is given to the Additional District Judge, Allahabad, to whom the matter has been remanded by the High Court, to take a decision within six months from today. We, accordingly, make an order in t

te C.A. Nos. 4. We are also told by Mr. Garg that despi the orders of this Court dated 10th September, 1984 in Civil Appeal No. 3646 of 1984 wherein it had been directed as an interim measure, that a rent of Rs. 7,083/- would be of 2011 @ SLP(C) 16235-16236 of 2006

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the payable by the State of U.P. to the appellant immediately pending the fixation of rent under Section 21(8) of the U.P. Rent Control Act, the aforesaid amounts had not been paid from July, 2007 onwards. Mr. S.R. Singh, learned Senior Counsel, however, states that the arrears are in fact due from March, 2008 and not from July, 2007. Be that as it may, the parties may project their points of view to the authority which has to make the payment on this limited aspect, so that the date from which the

arrears are due can be determined.

We further direc

that interest at 24 per cent per annum be paid on the arrears that have been withheld by the State of U.P. till the payment is actually made to the appellant.

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clarify that in case it is finally determined by the Additional District Judge that a higher rent was payable to the appellant, the arrears will be paid with interest at the rate of 9 per cent per annum from the date it falls due till the date of payment.

We further clari

that the Additional District Judge who is assigned the matter will not be influenced in any manner by the observations of the High Court in the remand order. The appeals are disposed of accordingly.

5. Parties are directed to appear before Additional District Judge either in person or through counsel on the date already fixed i.e. 25th July, 2011. of 2011 @ SLP(C) 16235-16236 of 2006

.....J  
[HARJIT SINGH BEDI]

.....J  
[GYAN SUDHA MISRA]

NEW DELHI  
JULY 13, 2011.

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C.A. Nos.