

ITEM NO.12

COURT NO.13

SECTION XVI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 11105/2025

[Arising out of impugned final judgment and order dated 23-12-2024
in FMAT No. 543/2023 passed by the High Court at Calcutta]

AGR PLANTATIONS PVT. LTD.

PETITIONER(S)

VERSUS

SANTOSH KUMAR AGARWALA & ORS.

RESPONDENT(S)

MEDIATION REPORT AWAITED

Date : 11-03-2026 This petition was called for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE R. MAHADEVAN

Court appointed Mediator: Ms. V. Mohana, Senior Counsel

For Petitioner(s) :Ms. Aanchal Tikmani, AOR

For Respondent(s) :Mr. Ashok Jain, Adv.
Mr. Satish Vig, AOR

Mr. Bhaskar Aditya, AOR

Mr. Adeel Ahmed, AOR

Mr. Anil K. Jha, AOR

O R D E R

At the outset, Ms. V. Mohana, learned Senior
Counsel/Mediator informs the Court that there appears to

be a way out as parties seem to be agreeable for financial arrangement between themselves. However, she submitted that time was running out and the process is to conclude at the earliest, for which, the next date fixed is 02.04.2026.

2. At this juncture, we have been informed that despite our order dated 13.01.2026, the lift in question has not been made fully operational and thus, the respondents side has not been able to use it, especially the respondents no. 1 to 4. However, the same is disputed by the petitioner side.

3. Having regard to the aforesaid, we direct the Commissioner of Police (CP), Kolkata, to get an inquiry made with regard to whether the lift in question has been made fully operational and whether the same is kept open for the use of all the parties in the building. Respondent no. 1 shall appear before the CP, Kolkata, at the earliest, along with a copy of this order. The CP, Kolkata, shall immediately entrust it to a senior officer, who would submit a personal report to the CP, Kolkata, and the CP, Kolkata, shall bring the same on record by way of an affidavit personally affirmed by him. The report shall also enclose material to depict the actual situation on the ground.

4. The CP, Kolkata, shall ensure that the lift is made available for the use of all the parties. He shall also ensure that if the lift has not been made fully operational, the same shall be made operational with cost to be recovered from the petitioner.

5. As in the compliance affidavit filed by the petitioner there is an indication that it is the respondent no.1 himself, who is preventing the repair work of the lift and even causing damage to the premises, the CP, Kolkata, shall also keep that aspect in mind.

6. The State of West Bengal, through CP, Kolkata, is impleaded as respondent no.41. Registry shall make necessary amendment in the cause title and shall also serve a copy of this Order on the Standing Counsel for the State of West Bengal by tomorrow, i.e., 12.03.2026.

7. The parties shall physically appear before the learned Mediator on 02.04.2026 positively.

8. It is indicated that the parties may also sit together on subsequent dates in quick succession, so that the matter is finally concluded, one way or the other. It is made clear that all the parties shall appear before the learned Mediator along with their authorized counsel without fail.

9. Learned counsel for the petitioner shall ensure that the description, as required with regard to a Firm/Company, is properly indicated in the memo of parties. The same shall be done today itself.

10. List this matter on 21.04.2026.

11. In the meantime, interim order passed by this Court on 02.05.2025 to continue till the next date of listing.

(POOJA SHARMA)
AR-CUM-PS

(ANJALI PANWAR)
ASSISTANT REGISTRAR