

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

I.A.Nos.3-4 in
Petition(s) for Special Leave to Appeal (Civil) No(s).17110/2007

(From the judgement and order dated 03/11/2006 and 29/06/2007 in WP
No.1037/2003 and in RA No.325/2006 of the HIGH COURT OF UTTARANCHAL
AT NAINITAL)

HINDUSTAN PETROLEUM CORP. LTD.

Petitioner(s)

VERSUS

RAJKUMARI PADMA KUMARI & ANR.

Respondent(s)

(For stay and exemption from filing O.T. and office report)

Date: 24/03/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA
HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s) Mr. S. Ganesh, Sr.Adv.
Mr. Sanjay Kapur, Adv.
Ms. Shubhra Kapur, Adv.
Ms. Arti Singh, Adv.

For Respondent(s) Mr. Dinesh Dwivedi, Sr.Adv.
Mr. P.N. Gupta, Adv.

UPON hearing counsel the Court made the following
ORDER

Respondent-landlord has instituted Small Cause Case
No.7/2007 in the Court of District Judge (Small Causes), Dehradun,
for eviction of Hindustan Petroleum Corporation Ltd. (HPCL).

...2/-

I.As.3-4 in SLP 17110/07...contd...

-2-

HPCL has moved this Court for stay of the suit. We are not
inclined to stay the suit. The suit shall proceed. However, in the
event of the District Court passing a decree against HPCL, the same
shall not be executed till further orders. However, we make it clear
that with effect from January, 2007, HPCL shall continue to pay
rent at the rate of Rs.50,000/- (Rupees Fifty Thousand only) per
month till further orders to the landlord which shall be accepted

without prejudice to the rights and contentions of the parties. In addition thereto, an amount of Rupees One Crore has accumulated, as claimed by the landlord, and against that claim, HPCL shall pay within a period of four weeks from today a sum of Rupees Fifteen Lakhs. The said payment of Rupees Fifteen Lakhs will also be without prejudice to the rights and contentions of the parties.

If the amounts are not paid as stated herein-above, the stay shall stand vacated.

I.As. stand disposed of accordingly.

(N. Annapurna)
Court Master

(Usha Sharma)
Court Master