

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 (Civil) No(s).26803/2011

(From the judgement and order dated 15/09/2011 in OSA
No.100/2011 of The HIGH COURT OF MADRAS)

RAJENDRA GUPTA & ORS. Petitioner(s)

VERSUS

CORPORATION OF CHENNAI TR.COMMR.& ANR. Respondent(s)

(With appln(s) for permission to file lengthy list of dates and
prayer for interim relief)

WITH SLP(C) NO. 28478 of 2011

(With appln. For permission to place addl. documents on record
and exemption from filing c/c of the impugned judgment and
office report)

Date: 14/10/2011 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM
HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For Petitioner(s) Mr. Harish N. Salve, Sr. Adv.
Mr. Satish Parasaran, Adv.
Mr. R. Parthasarthy, Adv.
Mr.Senthil Jagadeesan,Adv.

Mr. V. Balachandran, Adv.

For Respondent(s) Mr. P.S. Narasimha, Sr.Adv.
Mr. B.Balaji,Adv.

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

Mr. Harish N. Salve, learned senior counsel
appearing on behalf of the petitioners, states that
the hotel running on the suit premises has been
shut down and the petitioners shall hand over the
vacant possession of the suit premises to the
Corporation of Chennai within two weeks from today.

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Mr. Salve, submits that the issue of the
payment of any compensation to the petitioners for
the structure(s) constructed by them on the suit
premises as well as the question of any claims of
the Corporation against the petitioners may be

settled through the process of arbitration by an arbitrator, mutually agreed between the parties.

Mr. P.S. Narasimha, learned senior advocate appearing for the respondents, submits that the question of payment of any compensation to the petitioners will depend upon a proper construction of certain clauses of the lease deed/sub lease and a suit in this regard is already pending before the Civil Court. He, however, agreed to take instructions whether the limited issues indicated by Mr. Harish N. Salve, learned senior counsel, can be decided in an arbitration proceedings instead of the suit.

Put up after four weeks to enable Mr. P.S.Narasimha, learned senior advocate to take instructions in the matter.

(Neetu Khajuria)
Sr.P.A.

(Sneh Bala Mehra)
Court Master