

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)...../2009  
CC 16749/2009  
(From the judgement and order dated 11/05/2009 in FA No. 1258/2009  
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

M/S FRIENDS GLASS WORKS CO.LTD.

Petitioner(s)

VERSUS

VVIRENDRA KUMAR GARG & ORS.

Respondent(s)

With I.A.No.1(c/delay in filing SLP)

Date: 09/11/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN  
HON'BLE MR. JUSTICE G.S. SINGHVI

For Petitioner(s)

Mr. Rakesh Dwivedi, Sr.Adv.  
Mr. Vishwajit Singh, Adv.  
Mrs. Veera Kaul Singh, Adv.  
Mr. Siddharth Sengar, Adv.  
Mr. Abhindra Maheshwari, Adv.  
Mr. Pankaj Singh, Adv.

For Respondent(s)

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

Delay condoned.

As it relates to an interim order we do not propose to interfere under Article 136 of the Constitution. Learned counsel for the petitioner submits that there is a discrepancy in the order of the High Court. He submitted that the order of the High Court clearly stated that defendant being lessee has a right to be in possession and use the property in accordance with the terms of the lease. He submits that though the terms of the lease do not prohibit the user for purposes other than a factory, the High Court has prohibited constructions other than a factory. If there is an error apparent, it is open to the petitioner to approach the High Court for appropriate modification. The special leave petition is dismissed.

(Pawan Kumar)  
AR-CUM-PS

(M.S. Negi)  
Court Master