

ITEM NO.24

COURT NO.2

SECTION XVI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C)..CC No(s).3090-3091/2017
(Arising out of impugned final judgment and order dated 14/09/2016
in CS No.199/2005 14/09/2016 in APO No.55/2015 passed by the High
Court of Calcutta)

NATIONAL INSURANCE COMPANY LTD

Petitioner(s)

VERSUS

TURNER MORRISON LTD

Respondent(s)

(with appln. (s) for c/delay in filing SLP)

Date : 13/02/2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA

HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s)

Mr. Yogesh Malhotra, Adv.
Mr. P.S. Sudheer, Adv.
Mr. Rishi Maheshwari, Adv.
Ms. Anne Mathew, Adv.
Mr. Bharat Sood, Adv.
Ms. Shruti Jose, Adv.
Mr. P. S. Sudheer, Adv.

For Respondent(s)

Mr. K.V. Vishwanathan, Sr. Adv.
Mr. K. Datta, Adv.
Mr. B.K. Mishra, Adv.
Ms. Prachi Johri, Adv.

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

Heard Mr.Yogesh Malhotra, learned counsel for the petitioner
and Mr.K.V.Vishwanathan, learned senior counsel who has entered
appearance on behalf of the respondent.

Delay condoned.

The controversy basically relates to the mesne profits for a
sum of Rs.2,61,91,348.70 granted by the High Court on the basis of
the report of the Commissioner. On a suggestion being given to

reduce the amount, learned counsel for the respondent left it to the discretion of this Court. Regard being had to the stand in the the pleadings and the determination of the High Court we think it appropriate that the end of justice would be best sub-served if the amount is reduced to Rs.2,20,000,00/-. It is ordered accordingly. Needless to say the petitioner company shall also pay the interest as directed by the High Court.

With the aforesaid modification of the order of the High Court, the special leave petitions stand disposed of.

No order as to costs.

(Ashok Raj Singh)
Court Master

(H.S. Parasher)
Court Master