

ITEM NO.12 Court 14 (Video Conferencing) SECTION IX

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) No(s). 13447/2021

(Arising out of impugned final judgment and order dated 04-05-2021 in WP No. 2398/2020 passed by the High Court Of Judicature At Bombay)

M/S BHARAT PETROLEUM CORPORATION LTD. Petitioner(s)

VERSUS

KUMARI ASHA PAREKH & ORS. Respondent(s)

(FOR ADMISSION and I.R. and IA No.108378/2021-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 06-09-2021 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE AJAY RASTOGI
 HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Mr. K. V. Vishwanathan, Sr. Adv.
 Mr. T. Sundar Ramanathan, AOR
 Mr. Ishaan Chakrabarti, Adv.
 Mr. Vivek Pandey, Adv.

For Respondent(s)

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

Learned senior counsel for the petitioner submits that the prayer was made by the decree holder for recovery of mesne profits from the obstructionist, but the High Court in the impugned judgment dated 04.05.2021 has modified the order and granted permission to the decree holder with an option to execute the order of mesne profits against BPCL or from the respondent no.1 (or obstructionist), to the limited extent granting permission to make recovery of

mesne profits from the present petitioner has been questioned in the instant petition.

Issue notice returnable in six weeks.

Dasti, in addition, is permitted.

In the meanwhile, recovery of mesne profits in terms of Para 46 (vi) of the impugned order dated 04.05.2021 qua the present petitioner shall remain stayed until further orders.

(POOJA SHARMA)
COURT MASTER (SH)

(BEENA JOLLY)
COURT MASTER (NSH)