

IN THE SUPREME COURT OF INDIA

INHERENT JURISDICTION

REVIEW PETITION (CIVIL)NO. _____ OF 2020
(Arising out of Diary No. 27880 of 2019)

IN

CIVIL APPEAL NO. 5574 OF 2009

UNION OF INDIA AND ANR.

...Petitioners

VERSUS

KAIKHOSROU (CHICK) KAVASJI FRAMJI AND ANR. ...Respondents

O R D E R

Delay in preferring the Review Petition is condoned.

After referring to various decisions of this Court including the one rendered by the Constitution Bench of this Court in *Kaiser-I-Hind Pvt. Ltd. vs. National Textile Corp. (Maharashtra North) Ltd.* [(2002) 8 SCC 182], this Court observed that since *bona fide* dispute was raised by the appellants, the summary procedure under the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 could not be a proper remedy. After considering all the submissions on the point, it was observed in paragraph 82 that the question of ownership

...2/-

would be gone into strictly on merits and in accordance with law.

We have gone through the Review Petition and do not find any error apparent on record to justify interference in Review Jurisdiction.

This Review Petition is dismissed.

.....J.
[Uday Umesh Lalit]

.....J.
[Dinesh Maheshwari]

NEW DELHI;
JUNE 16, 2020.

ITEM NO.1011

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

REVIEW PETITION (CIVIL) _____ Diary No(s). 27880/2019 in C.A. No. 5574/2009

UNION OF INDIA & ANR.

Petitioner(s)

VERSUS

KAIKHOSROU(CHICK) KAVASJI FRAMJI & ANR.

Respondent(s)

(IA No. 116944/2019 - CONDONATION OF DELAY IN FILING REVIEW PETITION)

Date : 16-06-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE DINESH MAHESHWARI

By Circulation

UPON perusing papers the Court made the following
O R D E R
Delay condoned.

This Review Petition is dismissed in terms of the signed order.

Pending applications, if any, shall stand disposed of.

(INDU MARWAH)
COURT MASTER (SH)

(PRADEEP KUMAR)
BRANCH OFFICER

(SIGNED ORDER IS PLACED ON THE FILE)