

ITEM NO.12 Court 11 (Video Conferencing) SECTION XI-A

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 5102/2021

(Arising out of impugned final judgment and order dated 02-08-2019 in WPC No. 13146/2018 passed by the High Court of Orissa at Cuttack)

INDIAN OIL CORPORATION

Petitioner(s)

VERSUS

ANUPAMA MOHAPATRA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.38680/2021-CONDONATION OF DELAY IN FILING and IA No.38681/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 22-03-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VINEET SARAN
HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner(s) Mr. Siddharth Luthra, Sr. Adv.
Mrs. Priya Puri, AOR
Mr. Ranjay Dubey, Adv.
Mr. Yati Sharma, Adv.
Mr. Vibhav Srivastav, Adv.
Mr. S.K. Puri, Adv.

For Respondent(s)

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

Heard Mr. Siddharth Luthra, learned senior counsel assisted by Ms. Priya Pura, learned counsel appearing for the Petitioner.

Delay condoned.

In view of the nature of the order we propose to pass, we are not issuing notice to the respondents.

The submission of the learned senior counsel for the petitioner is that an ex parte stay order dated 27.08.2018 has been granted by the High Court in favour of the respondent herein. The petitioner herein has filed an application to vacate the stay order on 13.12.2018. It is contended that initially an order dated 01.05.2019 was passed by the High Court directing that the matter be listed in the next week. However, despite several orders passed by the High Court for disposal of the matter, the matter has not yet been disposed of. It is contended that the petitioner has already paid over Rs.22,00,000/- (Rupees twenty two lakh) as lease rent and has liability to pay an amount of Rs.73,400/- per month as rent. Since the stay vacation application, filed by the petitioner, has not been decided by the High Court so far, the petitioner is suffering huge financial loss.

Considering the facts and circumstances of the case, we dispose of the Special leave petition with request to the High Court to dispose of the writ petition itself as early as possible, preferably within three months from today. However, it is further provided that in case, for any reason, the writ petition cannot be disposed of within the time stipulated, we would expect that at least the stay vacation application filed by the petitioner will be disposed of by the High Court within such period.

With the aforesaid observations, the special leave petition is disposed of.

Pending applications, if any, also stand disposed of.

(NEELAM GULATI)
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)
COURT MASTER (NSH)