

ITEM NO.60

COURT NO.14

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) NO(S). 26848-26849/2026

[Arising out of impugned final judgment and order dated 12-03-2026 in APD No. 11/2023 12-03-2026 in CS No. 83/2019 passed by the High Court at Calcutta]

JAYANTA KRISHNA DATTA & ANR.

PETITIONER(S)

VERSUS

INDIAN OIL CORPORATION LIMITED

RESPONDENT(S)

(IA No. 211858/2026 - EXEMPTION FROM FILING O.T.
IA No. 250937/2026 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 18-09-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) : Mr. Neeraj Kishan Kaul, Sr. Adv.
Mr. Dhruv Mehta, Sr. Adv.
Mr. Ashish Wad, Adv.
Mr. Sanyat Lodha, Adv.
Mr. Manoj Wad, Adv.
Mr. TVS Rahavendra Sreyas, Adv.
Ms. Sanjana Saddy, Adv.
Ms. Ira S. Mahajan, Adv.
Mr. Mayank Gupta, Adv.
Mr. Harish Gurbani, Adv.
Ms. Swati Arya, Adv.
Mr. Deepanshu Verma, Adv.
Mr. Keith Varghese, Adv.
M/S. J S Wad And Co, AOR

For Respondent(s) : Ms. Astha Sharma, AOR
Ms. Anju Thomas, Adv.
Mr. Sanjeev Kaushik, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. Learned counsel appearing on behalf of the respondent-Indian Oil Corporation Limited (IOCL) prays for time to seek instruction in respect of settlement. She has further stated that she has been given instruction that the parties are ready for settlement.

2. On the other hand, learned senior counsel appearing for the petitioners has stated before this Court that during the pendency of the appeal before the High Court at Calcutta in the year 2023, the rent of the property was fixed by way of an interim order. Specifically, on 28.08.2023, the ad-hoc occupational charges were fixed at Rs.1 Lakh per month. He has further stated that in the same vicinity, the property value has gone high, and the similar property fetches more than Rs.4 lakh per month. Therefore, till the matter is settled between the parties, the respondent-IOCL should be directed to pay rent/occupational charges to the petitioner as per the prevailing market rate.

3. This Court is of considered opinion that the respondent-IOCL is occupying the property in question, the IOCL is certainly required to pay occupational charges. Let occupational charges be paid to the petitioner at the rate of Rs.2 Lakh per month with effect from 12.03.2026 (date of impugned judgment and order passed by the High Court of Calcutta in APD No.11 of 2023 with CS No.83 of 2019). Let the arrears be paid within one week and IOCL will continue to pay occupational charges till the matter is decided by this Court or a compromise takes place.

4. List the matter in week commencing 28th September, 2026.

(JAGDISH KUMAR)
ASTT. REGISTRAR-cum-PS

(KOMAL)
COURT MASTER (NSH)