

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 for Special Leave to Appeal (C) No.19998/2015
[Arising out of impugned final judgment and order dated 23-04-2015
in WP No. 12039/2012 passed by the High Court of Judicature at
Bombay]

KALPATARU BUILDERS AND ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

[FOR FINAL DISPOSAL and I.A. No. 291130/2026-APPLICATION FOR
EXTENSION OF LEASE PERIOD]

Date : 24-09-2026 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH

HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) :Mr. Ranjit Kumar, Sr. Adv.

Ms. Hiral Gupta, Adv.

Ms. Sachika Vij, Adv.

Dr. Sunil Mittal, Adv.

Ms. Anu Tiwari, Adv.

Mr. Amit Kumar, Adv.

Ms. Sneha Jaisingh, AOR

For Respondent(s) :Ms. Aishwarya Bhati, A.S.G.

Mr. Shreekant Neelappa Terdal, AOR

Mr. Pratyush Srivastava, Adv.

Mr. Sudhakar Kulwant, Adv.

Mr. Akshay Amrithanshu, Adv.

UPON hearing the counsel the Court made the following

O R D E R

We have heard Mr. Ranjit Kumar, learned Senior Counsel
appearing for the petitioners and Ms.Aishwarya Bhati, learned
Additional Solicitor General for respondent(s).

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RAJNI MUKHERJEE
Date: 2026.10.06
15:51:24 IST
Reason: I am the signatory

We have also perused the impugned judgment specifically
referring to condition No.2 in letter dated 17.01.2004. The
view expressed by the High Court, in our view, does not warrant

any interference as the said condition clearly states the manner in which the petitioners are bound to make the offer.

The petitioners were fighting all along questioning the very terms upon which they were given lease, which is inclusive of 44% of the constructed part. It is for them to establish which they intend to do so, suffice it to state that there is no perversity in the ultimate conclusion arrived at by the High Court.

In such view of the matter, the Special Leave Petition is dismissed.

However, we make it clear that the impugned judgment and order does not stand in the way of the petitioners approaching the respondent(s) for appropriate modification of the terms of the Agreement or seeking extension of lease period.

I.A. No. 291130/2026, for extension of lease period is disposed of, accordingly.

Pending application(s), if any, shall stand disposed of.

(RAJNI MUKHI)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
ASSISTANT REGISTRAR