

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). /2026
(@SPECIAL LEAVE PETITION(C) NO(S).30536/2026)

NATIONAL INSURANCE COMPANY LIMITED Appellant(s)

VERSUS

THE HANUMAN ESTATES LIMITED Respondent(s)

O R D E R

Leave granted.

2. We have heard learned senior counsel for the appellant and learned senior counsel for the respondent. We have perused the material on record including the Report of the Special Referee dated 26.04.2021.

3. The dispute is in a narrow compass insofar as the rate fixed by the Special Referee is concerned. The Special Referee has stated in his Report that the monthly mesne profit for the period from December, 2012 to November 2015, December, 2015 to November, 2018 and December 2018 to January, 2020 aggregated to Rs.8,54,87,169.88 along with interest at the rate of 8% per annum.

4. Learned senior counsel submitted that instead of Rs.89 per square feet per month, the basic rate could have been Rs.70/- per square feet per month. However, this submission is opposed by learned senior counsel for the

respondent by contending that the submission with regard to the amount being Rs.70/- per square feet per month is too low and cannot be accepted by the respondent.

5. In the circumstances, we find that the ends of justice would be met if we substitute Rs.89/- per square feet per month from December, 2012 to November, 2015 to Rs.80/-per square feet per month. Consequently, for the subsequent period, the quantum shall be, accordingly, computed. However, the interest shall also be at the rate of 6% per annum instead of 8% per annum determined by the High Court.

6. Since the amount computed by the High Court has already been deposited by the appellant-insurance company before the High Court, the Registry of the High Court is directed to re-compute the amount payable by the appellant herein in terms of this order in consultation with the appellant as well as the respondent herein and, accordingly, permit the respondent to withdraw the amount in terms of the re-computation to be made with interest as above and the balance amount may be returned to the appellant herein.

7. The said exercise shall be carried out within a period of four weeks from today.

8. The appeal is allowed in part in the aforesaid terms.

9. No costs.

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

.....J.
(B.V. NAGARATHNA)

.....J.
(R. MAHADEVAN)

NEW DELHI;
SEPTEMBER 07, 2026

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). 30536/2026
[Arising out of impugned final judgment and order dated 06-05-2026
in APD No. 14/2023 passed by the High Court at Calcutta]

NATIONAL INSURANCE COMPANY LIMITED

Petitioner(s)

VERSUS

THE HANUMAN ESTATES LIMITED

Respondent(s)

(FOR ADMISSION)

Date : 07-09-2026 This petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) Mr. Vipin Sanghi, Sr. Adv.
Ms. Hetu Arora Sethi, AOR
Mr. Nirmal Prasad, Adv.
Mr. Sanidhya Kumar, Adv.
Mr. Deepak Gupta, Adv.

For Respondent(s) Ms. Rekha Palli, Sr. Adv.
Mr. Amit Meharia, Adv.
Ms. Tannishtha Singh, Adv.
Mr. Abinash Agarwal, Adv.
Ms. Paramita Banerjee, Adv.
Mr. Rohan Raj, Adv.
Mr. Sambhav, Adv.
Mr. Anish Venkatesh Bindlish, Adv.
Ms. Shailvi Gupta, Adv.
M/S. Meharia & Company, AOR

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

1. Issue notice to the respondent.
2. Learned counsel for the respondent/landlord accepts notice.
3. Leave granted.

4. The Appeal is allowed in part in terms of the signed order.
5. Pending application(s), if any, shall stand disposed of.

(RADHA SHARMA)

ASTT. REGISTRAR-cum-PS

(DIVYA BABBAR)

COURT MASTER (NSH)

(Signed order is placed on the file)