

ITEM NO.21

COURT NO.3

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

CONTEMPT PETITION (CIVIL) Diary No(s). 18133/2026

[Arising out of impugned final judgment and order dated 14-09-2024
in SLP(C) No. No. 27002/2023 passed by the Supreme Court of India]

DELIGHT GRIH NIRMAN PVT LTD

Petitioner(s)

VERSUS

BHARAT PETROLEUM CORPORATION LTD.
THRO. NIRMAL SINHA G.M. & ORS.

Respondent(s)

Date : 04-05-2026 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.K. MAHESHWARI
HON'BLE MR. JUSTICE ATUL S. CHANDURKAR

For Petitioner(s) :

Mr. Mukul Rohatagi, Sr. Adv.
Mr. Anil Kumar Mishra, AOR
Mr. Sabir, Adv.

For Respondent(s) :

Mr. Parijat Sinha, AOR
Mr. Divyam Dhyani, Adv.
Ms. Reshmi Rea Sinha, Adv.
Mr. Rudra Dutta, Adv.
Ms. Priyal Jain, Adv.
Mr. Alok Bhatt, Adv.

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

1) The present petition has been filed for alleged non-compliance of directions of this Court dated 06.09.2024 wherein the stand taken by respondent No.5 was not found correct. Para 6 is reproduced as under:

"6. Mr. Utpal Mazumdar, learned counsel for the

newly added respondent No.5 who appeared online, sought to raise the issue that he has independent right to protect his possession of the premises in dispute. Hence, he cannot be evicted in the manner being agreed upon by the BPCL/lessee and lessor. We do not find any merit in the argument as there is no privity of contract between the respondent No.5 and the petitioner herein, and the privity of contract is between the petitioner and BPCL. Once lessee forgoes his tenancy in agreed terms on the premises in question and ready to vacate, the respondent No. 5 who has licence to operate the petrol pump on the said premises cannot acquire any independent right without having any privity of contract with petitioner.

2) However, directions were issued in para 9:

"9. After hearing learned counsel for the parties, in our view, the present Special Leave Petition can be disposed of with the following directions.

(i) The respondent (BPCL) shall hand over vacant physical possession of the property in question to the petitioner on or before 31.03.2025.

(ii) The petitioner has foregone the right to recover the lease rent/mesne profit for the past and future till 31.03.2025 or till handing over possession of the property in question to the petitioner, whichever is earlier.

(iii) In case of failure to comply the direction Nos. (i) & (ii), the petitioner shall be entitled to initiate contempt proceedings in addition to any other remedy which may be available to him.

(iv) Title Suit No.275 of 2023 titled as 'Hind Service Station v. Delight Grih Nirman Pvt. Ltd. and others' pending before the Court of Civil Judge (Sr. Division) at Sealdah shall be treated as disposed of on production of copy of this order."

3) Learned senior counsel appearing for the petitioner submits that possession of only 184 sq. meters of land could not be delivered. It is submitted that respondent No.1 has

even written to the Commissioner of Police, which is not acted upon by the police authorities to comply with the directions of this Court.

4) In view of the aforesaid, we direct the Commissioner of Police, Kolkata, to provide police help for compliance of the order of this Court and report be made available within a month to the Registry of this Court.

5) The contempt petition is disposed of accordingly. Pending application(s), if any, shall also stand disposed of.

(NIDHI AHUJA)
DEPUTY REGISTRAR

(NAND KISHOR)
ASSISTANT REGISTRAR