

**NON-REPORTABLE****IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION****M.A. NO.2065 OF 2025****WITH****M.A NO. \_\_\_\_ OF 2025****[M.A. (DIARY) NO.69596 OF 2025]****IN****SLP (C) NO. 7870 OF 2025****MSEB HOLDING CO. LTD. & ANR.****... PETITIONERS****VS.****THE HONG KONG & SHANGHAI  
BANKING CORPORATION LIMITED & ORS.****... RESPONDENTS****ORDER****DIPANKAR DATTA, J.**

1. The petitioners (now judgment-debtors) were the original defendants in a suit<sup>1</sup> filed by the respondent no.1 (now decree holder). By a judgment and decree dated 17<sup>th</sup> December, 2024<sup>2</sup>, passed by the High Court of Judicature at Bombay<sup>3</sup>, the suit came to be decreed in favour of the respondent no.1. The petitioners were directed *inter alia* to hand over possession of the suit premises (decretal property) on or before 31<sup>st</sup> March, 2025.

1 T.E. & R. Suit 346/366 of 2001

2 in WP 13194 of 2023

3 High Court

2. The aforesaid decree of the High Court was subjected to a challenge in an SLP<sup>4</sup> before this Court which was dismissed by a coordinate bench on 24<sup>th</sup> March, 2026. Relevant portion of this Court's order reads thus:

3. Having heard Mr. Mehta, learned Solicitor General appearing for the petitioners and Dr. Singhvi, learned senior counsel for the plaintiff-respondent no.1, we are not inclined to interfere with the impugned judgment and order of the High Court; hence, the special leave petition is dismissed.

4. However, we grant liberty to the two petitioners to vacate and deliver peaceful possession of the suit premises in favour of the plaintiff-respondent no.1 by 31<sup>st</sup> December, 2025, upon filing of the requisite undertakings by 17<sup>th</sup> April, 2025.

3. Due to certain disputes in the undertaking submitted by the petitioners/judgment debtors in terms of the order dated 24<sup>th</sup> March, 2026, Miscellaneous Application No. 2065 of 2025 came to be filed by the respondent no.1-decree holder. Subsequently, Miscellaneous Application (Diary) No. 69596 of 2025 was filed by the petitioners/judgment debtors seeking extension of time till 30<sup>th</sup> September, 2026 to vacate and handover the decretal property to the respondent no. 1/decree holder.

4. During the course of hearing and consideration of the applications, and upon a request made by the petitioners/judgment debtors, we granted a further extension of time to them by an order dated 15<sup>th</sup> January, 2026 possession of the decretal property was ordered to be handed over by 30<sup>th</sup> June, 2026.

5. Our next order dated 12<sup>th</sup> January, 2026 directed the Registrar General of the High Court to appoint a valuer from the Government panel of valuers for the purpose of computation of valuation and fair rent of the decretal property. In compliance therewith, a report prepared by M/s Shetgiri &

Associates<sup>5</sup> has been placed on record. The concluding part of the report reads as follows:

As such to summarize, we consider the fair monthly rental valuation (per month) of the commercial premises situated on the third floor (admeasuring 17,957.22 sq. fts) & fourth floor (admeasuring 5,349.00 sq. fts) and with total area admeasuring 23,306.22 Sq. Fts (third + fourth floor gross area) within the "HSBC building" situated at M.G. Road, Fort, Mumbai - 400001, receivable as on today if the property is let out on leave and license basis at Rs. 58,73,167 / 00 per month in accordance with the market instances method, which is more precise, appropriate, realistic and suitable amongst the methodologies worked out in this report.

6. On behalf of the respondent no.1-decree holder, serious objection has been taken to such report of Shetgiri and enhancement of the rate is claimed on diverse grounds.
  
7. However, having heard Mr. Mehta, learned Solicitor General for the petitioners/judgment debtors and Mr. Kaul, learned senior counsel for the respondent no.1/decree holder, we are not in favour of granting any further extension till September, 2026, as prayed by Mr. Mehta. Such refusal is considered appropriate and just, in the facts and circumstances. The suit for eviction itself was instituted in 2001. The termination of tenancy was obviously prior to the suit. The decree of the High Court is dated 17<sup>th</sup> December, 2024. The High Court, while decreeing the suit, had granted time to vacate till 31<sup>st</sup> March, 2025. While dismissing the SLP, we extended the time to vacate till 31<sup>st</sup> December, 2025. On the present application, a further extension was granted by us till 30<sup>th</sup> June, 2026. There have been at least a couple of extensions. Indulgence is again sought, which we do not propose to grant any further because it is in the interest of justice that the issue is brought to a close. Accordingly, the petitioners/judgment debtors

are directed to vacate the decretal property by 30<sup>th</sup> June, 2026, without fail.

8.

9. At the same time, we decline the request of Mr. Kaul at this stage to revise the amount payable by the petitioners/judgment debtors towards such extension and leave it to the relevant Court to conduct the inquiry under the provisions of Order 20 Rule 12 of the Code of Civil Procedure, 1908, as directed by the High Court. Prior to taking an appropriate decision, the inquiry court will proceed to consider the report of Shetigiri and objections thereto, along with such other materials as are produced by the parties, on its own merits, without being influenced by any order(s) passed in the course of the present proceedings.

10. The miscellaneous applications are disposed on the above terms.

.....J.  
**(DIPANKAR DATTA)**

.....J.  
**(AUGUSTINE GEORGE MASIH)**

**NEW DELHI;  
MAY 21, 2026.**

ITEM NO.28

COURT NO.8

SECTION IX-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

Miscellaneous Application No. 2065/2025 in SLP(C) No. 7870/2025

[Arising out of impugned final judgment and order dated 24-03-2025  
in SLP(C) No. 7870/2025 passed by the Supreme Court of India]

MSEB HOLDING CO. LTD. &amp; ANR.

Petitioner(s)

VERSUS

THE HONG KONG AND SHANGHAI BANKING CORPORATION  
LTD. & ORS.

Respondent(s)

IA No. 193045/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 303021/2025 - INTERVENTION/IMPLEADMENT

WITH

Diary No(s). 69596/2025 (IX-A)

IA No. 313984/2025 - APPLICATION FOR PERMISSION

IA No. 314000/2025 - EXEMPTION FROM FILING O.T.

Date : 21-05-2026 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA  
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIHFor Petitioner(s) :Mr. Anjan Dasgupta, Adv.  
Ms. Rimali Batra, Adv.  
Mr. Abhishek Lalwani, Adv.  
Mr. Shivang Gupta, Adv.  
M/s D.S.K. Legal, AORMr. Navneet R., AOR  
Mr. Rajendra Barot, Adv.  
Mr. Vivek Shetty, Adv.  
Ms. Cheryl Fernandes, Adv.  
Mr. Ayush Chadha, Adv.  
Mr. Naman Nayyar, Adv.  
Ms. Alankrita Sinha, Adv.For Respondent(s) :Mr. Anjan Dasgupta, Adv.  
Ms. Rimali Batra, Adv.  
Mr. Abhishek Lalwani, Adv.  
Mr. Shivang Gupta, Adv.  
M/s D.S.K. Legal, AORMr. Deepak Nargolkar, Sr. Adv.  
Mr. Anandh K, AOR

**Ms. Shraddha Dube Patil, Adv.  
Ms. Iyer Shruti Gopal, Adv.  
Mr. Ang Bajaj, Adv.  
Mr. Anirudh Kate, Adv.**

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

1. Miscellaneous Applications are disposed of in terms of the non-reportable signed order placed on the file.
2. Pending interlocutory application(s), if any, shall stand disposed of.

**(JATINDER KAUR)  
P.S. to REGISTRAR**

**(SUDHIR KUMAR SHARMA)  
COURT MASTER (NSH)**