

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.181 OF 2015
WITH
NOTICE OF MOTION NO.365 OF 2015
IN
APPEAL NO.181 OF 2015

1.Sanjay Narang & Anr. ...Applicants

In the matter between

1.Sanjay Narang & Anr. ...Appellants

Versus

The Central Cottage Industries Corpn.of India Ltd. ...Respondent

Mr.Aurup Dasgupta with Mr.Shrey Shah I/b. Jhangiani Narula & Associates, for the Appellants.

Mr.Vishwajit Sagare, AGP for the State.

Mr.Anil Singh, ASG for the Union of India.

Mr.R.S.Thorat, Senior Advocate I/b. Ganesh K. Gole, for Respondent.

**CORAM: NARESH H.PATIL AND
G.S.KULKARNI, JJ**

DATED: 2nd July, 2018

P.C.:

1. The learned ASG Mr.Singh submits that he had spoken to the responsible officer of the Ministry of Textiles in respect of the subject

issue. A communication received from Mr.Ashok Kinra, Company Secretary, CCIC of India Ltd., dated 29th June,2018 is placed on record by Mr.Singh. The learned ASG submits that the ministry has now decided to constitute a committee of Senior Officers for direct negotiations with the landlord with a view to arrive at amicable settlement for payment of rent/mesne profits etc. in respect of the first floor premises, 34, CSM Marg, Colaba, Mumbai.

2. The learned Counsel appearing for the respondent-Central Cottage Industries Corporation of India Ltd. (CCIC) has placed on record a communication received from the Corporation dated 30th June,2018. On written instructions, the learned Counsel submits that the respondent-Corporation is ready and willing to hand over the possession of the subject premises as stated above, to the landlord/authorised person deputed by the landlord on 5th July,2018. The communication further reads that after handing over the possession, the CCIC's liability to pay rent shall cease thereafter.

3. The learned Counsel for the appellants submits that the name of the authorised representative deputed shall be intimated to the respondent for handing over possession on 5th July,2018. The statement is accepted.

4. The learned Counsel for the appellants submits that at this

stage, the respondent shall deposit the amount which according to them is reasonable rent/mesne profit. Mr.Thorat, learned Senior Counsel for the Corporation submits that in view of the subsequent development as disclosed to the Court today, the issue be left open for the Committee to be constituted by the Ministry of Textiles who would directly negotiate with the landlord.

5. In view of the statement made above, the appeal stands disposed of. The issue relating to claim of the landlord towards rent/mesne profit/damages etc. is not determined by this Court and is left open to be addressed by the parties in the suit.

6. In case the parties arrive at a settlement, then they may place such settlement before the learned Single Judge in the pending proceedings in suit no.3436 of 2000.

7. We appreciate the assistance rendered by the learned ASG Mr.Singh.

8. In view of disposal of the appeal, Notice of Motion no.365 of 2015 does not survive. It is disposed of.

(G.S.KULKARNI, J.)

(NARESH H. PATIL, J.)