

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No.11418/2021

(Arising out of impugned final judgment and order dated 24-06-2021
in CO No.765/2021 passed by the High Court at Calcutta)

ARMSTRONG INVESTMENT PRIVATE LIMITED Petitioner(s)

VERSUS

SRI SANDIP BAZAZ HUF Respondent(s)

(IA No.87319/2021-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

WITH

SLP(C) No. 11470/2021 (XVI)
(FOR ADMISSION and I.R. and IA No.87583/2021-PERMISSION TO FILE
ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 11464/2021 (XVI)
(FOR ADMISSION and I.R. and IA No.87585/2021-PERMISSION TO FILE
ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 11468/2021 (XVI)
(FOR ADMISSION and I.R. and IA No.87530/2021-PERMISSION TO FILE
ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No.11495/2021
(I.A.No.88056/2021-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 30-07-2021 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE A.S. BOPANNA

For Petitioner(s) Mr. K. V. Viswanathan, Sr. Adv.
Mr. Rajarshi Dutta, Adv.
Mr. V.V.V. Sastry, Adv.
Mr. Soumya Dutta, AOR
Mr. Nischay Mall, Adv.
Mr. Tridib Bose, Adv.
Ms. Shivika Tiwari, Adv.

For Respondent(s)

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

Prima facie, we do not find any error in the Impugned Orders passed by the High Court but Mr. K. V. Viswanathan, learned senior counsel for the petitioner relies upon the judgment of this Court reported as 2020 (15) SCC 585 to contend that the suit before the Commercial Court was maintainable. The said judgment also does not relate to a suit for eviction filed by the landlord against the tenant.

We asked Mr. K. V. Viswanathan whether the petitioner would like to approach Civil Court rather than continuing with the suit filed before the Commercial Court to which Mr. K. V. Viswanathan, on instructions, has conveyed that he would like to have decision on merits as to whether Commercial Court should have a jurisdiction to entertain the suit filed after termination of tenancy.

Leave granted.

We decline the request of Mr. K. V. Vishwanathan for early hearing of these appeals.

(RASHMI DHYANI)
COURT MASTER

(RENU BALA GAMBHIR)
COURT MASTER