

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

RECORD OF PROCEEDINGS

IA 3/2007 in CIVIL APPEAL NO. 4140 OF 2006

BRITISH AIRWAYS PLC.

Appellant (s)

VERSUS

M/S. ABSOLUTE AROMATICS LTD.

Respondent(s)

(With appln(s) for permission to withdraw the amount and office report)

Date: 14/05/2007 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Appellant(s)

Mr. M.N.Krishnamani, Sr. Adv.

Mr. Sanjeev Sachdeva, Adv.

For Respondent(s)

Mr. Nikhil Nayyar, Adv.

UPON hearing counsel the Court made the following

O R D E R

In the present matter statement is being made on behalf of the applicant that it would like to withdraw the sum of Rs.50,00,000/- (rupees fifty lakhs) against the bank guarantee of a nationalized bank. We had indicated on the last occasion that the applicant should state that if the matter is decided against it the applicant will refu

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the amount withdrawn with interest that may be fixed by the Court at the relevant time. Till today no such statement is made. We therefore direct the applicant to file an affidavit undertaking to refund the amount with interest. The affidavit should enclose income tax returns for the last three years.

Stand over for six weeks.

[SUMAN WADHWA]

COURT MASTER

[MADHU SAXENA]

COURT MASTER