

ITEM NO.62

COURT NO.6

SECTION XVII

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

IA Nos. 3-4 in Civil Appeal No(s). 9110-9111/2010

VODAFONE INDIA LTD

Appellant(s)

VERSUS

DEPARTMENT OF TELECOMM. & ORS.

Respondent(s)

(with appln. (s) for directions and stay and office report)

Date : 27/03/2015 These IAs were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J. CHELAMESWAR

HON'BLE MR. JUSTICE R.K. AGRAWAL

For Appellant(s) Mr. Manu Nair, Adv.
Mr. Vishal Nijhawan, Adv.
Mr. Arun Sehgal, Adv.
for M/s Suresh A. Shroff & Co., Adv.

For Respondent(s) Mr. P.S. Narsimha, ASG
Mr. Prateek Jalan, Adv.
Mr. Ritin Rai, Adv.
Mr. R. Nanda, Adv.
Ms. Sadhna Sandhu, Adv.
Mr. Arvind Kumar Sharma, Adv.
Mr. D. S. Mahra, Adv.

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

These IAs have been filed with the prayer as follows:-

"It is respectfully prayed that this Hon'ble Court may be pleased to:

(a) discharge and return the earlier bank guarantees from the Corporation Bank to the Appellant, the details of which are as follows:

Details of old Bank Guarantees-Corporation Bank

Company	Guarantee No.	Beneficiary	Amount
VEGL	FNGBOM1024470PN	Secretary General, Supreme Court of India	8,64,39,971/-
VEL	FNGBOM1024450PN	Secretary General, Supreme Court of India	7,23,25,339/-
VESL	FNGBOM102446	Secretary General, Supreme Court of India	14,45,51,437/-
VECL	FNGBOM1024480PN	Secretary General, Supreme Court of India	8,98,20,210/-
VEDL	FNGBOM1024440PN	Secretary General, Supreme Court of India	7,86,53,899/-
VESPL	FNGBOM102443	Secretary General, Supreme Court of India	3,53,54,727/-
VEEL	FNGBOM1024490PN	Secretary General, Supreme Court of India	5,04,02,103/-
VEMSL	FNGBOM1024390PN	Secretary General, Supreme Court of India	6,09,20,810/-

and,

(b) take the new bank guarantees of the same terms and conditions from the State Bank of India on record, details of which are as follows:

Details of new Bank Guarantees-State Bank of India

Company	Guarantee No.	Beneficiary	Amount
VEGL	0999614BG0002236	Secretary General, Supreme Court of India	8,64,39,971/-
VEL	0999614BG0002234	Secretary General, Supreme Court of India	7,23,25,339/-
VESL	0999614BG0002237	Secretary General, Supreme Court of India	14,45,51,437/-
VECL	0999614BG0002240	Secretary General, Supreme Court of India	8,98,20,210/-
VEDL	0999614BG0002239	Secretary General, Supreme Court of India	7,86,53,899/-
VESPL	0999614BG0002238	Secretary General, Supreme Court of India	3,53,54,727/-
VEEL	0999614BG0002235	Secretary General, Supreme Court of India	5,04,02,103/-
VEMSL	0999614BG0002232	Secretary General, Supreme Court of India	6,09,20,810/-

(c) pass such other and further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

Eight bank guarantees, the details of which are given in the first table occurring in the prayer part of the present IAs were furnished for various amounts indicated therein by the petitioner pursuant to the condition no. 2 of an earlier order passed by the Court dated 22.10.2010.

For the reasons mention in the IA, now the petitioner seeks to replace those eight bank guarantees with new bank guarantees to be furnished by the State Bank of India, the details of which are contained in the second table in the above extracted prayer portion. This application is not opposed.

Accepting the reasons given in the applications (IA Nos. 3-4 of 2014), we allow the same. However, the discharge and return of the bank guarantees which had already been submitted earlier, is permitted only after the receipt of the fresh bank guarantees by the Registry.

(DEEPAK MANSUKHANI)
COURT MASTER

(INDU BALA KAPUR)
COURT MASTER