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C.A.No. 9238 OF 2003  
ITEM No.5

Court No. 1

SECTION IX  
A/N MATTER

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

IA No. 1 in Civil Appeal No.9238/2003

P.R. SHAH SHARES & STOCK BROKERS (P)LTD.

Appellant (s)

VERSUS

M/S. B.H.H. SECURITIES (P) LTD. & ORS.

Respondent (s)

(for orders/directions and office report)

Date : 30/07/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE G.P. MATHUR

For Appellant (s)Mr. Kirit N Raval, Sr. Adv.  
Ms. Indu Malhotra,Adv.

For Respondent (s)Mr. Vivek Tankha, Sr. Adv.  
Mr. M.J.Paul, Mr. Ranjan Kumar,

Mr. Rajeev Sharma and Mr. Sandeep  
Chhabra, Advs.

Mr. R F Nariman, Sr. Adv.  
Mr. P Venugopal, Mr. P S Sudheer and  
Ms. Divya Jaisankar, Advs.  
for M/s. K.J. John & Co.,Advs.

(for applicant)

UPON hearing counsel the Court made the following

O R D E R

Heard the parties on I.A. No. 1 of 2003.

We clarify that the orders dated 31.10.2003 and 21.11.2003 shall stand modified to the extent that by reference to Rule 16 of the Bombay Stock Exchange Rules, the Bombay Stock Exchange shall be deemed to have exercised the right of nomination in respect of the appellant's membership vesting in the Exchange, though the appellant has not been declared a defaulter.

I.A. stands disposed of in the above-said terms.

(D.P. WALIA)  
COURT MASTER

(RADHA R. BHATIA)  
COURT MASTER