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SLP(C)No.909/2001
ITEM No.24

Court No. 3

SECTION XV

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

Petition(s) for Special Leave to Appeal (Civil) No.909/2001
(From the judgement and order dated 09/01/2001 in DBCWP 4806/00
of The HIGH COURT OF RAJASTHAN AT JAIPUR BENCH, JAIPUR)

GTCL MOBILE COM TECHNOLOGY LTD. Petitioner (s)

VERSUS

BANK OF RAJASTHAN LTD. & ORS. Respondent (s)

(With prayer for interim relief)
(With Appln(s). for exemption from filing c/c of the impugned Judgment
and permission to place addl. documents on record)

Date : 25/01/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MRS. JUSTICE RUMA PAL

For Petitioner (s) Mr. Anil Divan, Sr. Adv.
Mr. Nihir Thakore, Sr. Adv.
Mr. Mayank Buch, Mr. Mahesh Agrawala,
Mr. Rishi Agrawala and Mr. E.C. Agrawala,
Advs.

For Respondent (s) Mr. T R Andhyarujina, Sr. Adv.
Mr. Gopal Jain, Ms. Nandini Gore, Ms. Ruby
Singh Ahuja, Mr. R N Karanjawala and
Mrs Manik Karanjawala,Advs.

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

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Issue notice.

Mr. T R Andhyarujina, learned senior counsel accepts
notice.

Special leave granted.

The appeal is allowed in terms of the signed order.

(D.P. WALIA)
COURT MASTER

(S.L. GOYAL)
COURT MASTER

(Signed Order is placed on the file)

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2001@@
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[arising out of S.L.P.(C) No. 909 of 2001]

GTCL Mobile Com Technology Ltd. ..Appellant(s)

vs.

Bank of Rajasthan Ltd. & Ors. ..Respondent(s)

ORDER@@
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Issue notice.

Mr. T R Andhyarujina, learned senior counsel accepts notice.

Special leave granted.

After hearing the learned counsel for the parties, we are of the opinion that the interim order dated 19th October, 2000 ought not to have been modified. Accordingly, this appeal is allowed and the impugned order dated 9th January, 2001 is set aside. The original order dated 19th October, 2000 will remain, the effect of which would be that the plaint will not be returned to the respondent herein, but at the same time the Debt Recovery Tribunal, Jaipur should also not proceed with the case pending disposal of the matter by the High Court. The High Court is requested to decide the case as expeditiously as possible. The parties will have an opportunity of raising any contention which is open to them.

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.....J.
(B.N. KIRPAL)

New Delhi;
January 25, 2001.

.....J.
(RUMA PAL)