

SLP(C)No. 1640 OF 2004
ITEM No.5

Court No. 5

SECTION IX

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

I.A. No. 5 in
Petition(s) for Special Leave to Appeal (Civil) No.1640/2004

SATHE BISCUITS & CHOCOLATES CO. LTD.&ANR

Petitioner (s)

VERSUS

BANK OF MAHARASHTRA & ORS.

Respondent (s)

(For clarification and modification of Court's Order
dated 06.02.2004)
With I.A. No. 6 (Appln. for directions)

Date : 16/11/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA
HON'BLE MR. JUSTICE H.K. SEMA

For Petitioner (s)Mr. Krishnan Venugopal, Adv.
Ms. Seema Benjani, Adv.
Mr. Syed Shahid Hussain Rizvi, Adv.

For Respondent No.1Mrs.Rachana Joshi Issar,Adv.

For Applicant inMr. Chinmoy Khaladkar, Adv.
I.A. No. 6 and forMr. S.K.Nandy, Adv.
Res.No.2 in SLP 1640

UPON hearing counsel the Court made the following

O R D E R

In our view our Order dated 6th February, 2004 is very clear. On payment of amounts due to the Bank, the sale was to be set aside. This necessarily implies that whatever payments have to be made under Rule 60 (1)(b) of the Income Tax Rules were to be made from out of the amounts deposited by the purchaser and the balance by the Bank from the amounts received by it. I.A. No. 5 stands disposed off accordingly.

No orders on I.A. No. 6.

Anita

(Vijay Dhawan)
Court Master