

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

RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 4618-4619 OF 2000

STATE OF RAJASTHAN & ORS.

Appellant (s)

VERSUS

M/S. J.K. CEMENT WORKS LTD.

Respondent(s)

(With appln(s) for exemption from filing O.T.,permission to place addl. documents on record and office report))

Date: 04/04/2006 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE TARUN CHATTERJEE

For Appellant(s) Mr. Aruneshwar Gupta,Adv.

Mr. Naveen Kumar Singh, Adv.

For Respondent(s) Mr. Pallav Sishodia, adv.

Ms. Sushma Sharma, adv.

Ms. Nupur Singh, Adv.

Mr. Rajan Narain,Adv.

UPON hearing counsel the Court made the following

O R D E R

The appeals are disposed of in terms of the signed order.

(Shashi Sareen)

(Vijay Aggarwal)

Court Master

Court Master

(signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 4618-4619 OF 2000

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M/S. J.K.CEMENT WORKS LTD.
Respondent(s)

... Res

O R D E R

Heard learned counsel for the parties.

During the pendency of the appeal, undisputedly Rs. 4,00,00,000/-

(Rupees four crores only) has been paid by the respondent to the appellants. It is stand of the learned counsel for the appellant that the payment was made pursuant to a settlement and the agreement in question has been given effect to. According to him, nothing further survives to be done because the payment was made

pursuant to the settlement between the parties. It is, therefore, stated that

otherwise the agreement could not have given effect.

Learned counsel for the respondent on the other hand submitted that the writ petition is pending before

the High Court. The effect of the payment and the action

stated to have been taken on the basis of purported settlement can be tested in the pending writ petition.

In the aforesaid background, we feel no further orders are necessary in

the present appeals. The respective stand shall be considered by the High Court in its proper perspective in the pending writ petition. The appeals are disposed of accordingly. No costs.

.....J.

(ARIJIT PASAYAT)

.....J.

(TARUN CHATTERJEE)

New Delhi,

April 4, 2006.