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SLP(C)No. 1457 OF 2003

ITEM No.303

Court No. 1

SECTION XIV

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

Petition(s) for Special Leave to Appeal (Civil) No.1457/2003
(From the judgement and order dated 22/01/2003 in CWP 460/03
of The HIGH COURT OF DELHI AT N. DELHI)

LG ELECTRONICS INDIA PVT. LTD.

Petitioner (s)

VERSUS

N.K.P. SALVE & 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 : 04/04/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE Y.K. SABHARWAL

HON'BLE MR. JUSTICE ARIJIT PASAYAT

For Petitioner (s) Mr. Ashok H Desai, Sr. Adv.

Mr. Gopal Jain, Adv.

Mr. Mahesh Agarwal, Adv.

Mr. Rishi Agarwal, Adv.

Mr. E.C. Agrawala, Adv.

For Respondent (s) Mr. Kapil Sibal, Sr. Adv.

Mr. U N Banerjee, Sr. Adv.

Ms. Radha Rangaswamy, Adv.

Mr. K K Venugopal, Sr. Adv.

Ms. Seema Benqani, Adv.

Mr. Syed Shahid Hussain Rizvi, Adv.

Mr. Ejaz Maqbool, Adv.

Mr. Ujjwal Kr. Jha, Adv.

Ms. Minakshi Nag, Adv.

Mr. Sunil Dogra, Adv.

Mr. Manu Nair, Adv.

Mr. Sidharth Datta, Adv.

For M/s Suresh A. Shroff & Co., Advs.

Mr. Dayan Krishnan, Adv.

Mr. Nikhil Nayyar, Adv.

Mr. Trideep Pais, Adv.

Mr. Gautam Narayan, Adv.

Mr. S.R. Setia, Adv. (NP)

Mr. D.N. Mishra, Adv.

Ms. Pratibha M Singh, Adv.

Mr. Maninder Singh, Adv.

Mr. Kuldip Parihar, Adv.

Mr. H S Parihar, Adv.

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

It is not disputed that the petitioner herein was a party in the writ petition filed in the High Court by respondents Nos. 1 to 6 herein. After we heard the matter, we are of the view that the petitioner herein did not have adequate opportunity of filing counter affidavit in opposition to the admission of the writ petition and grant of interim relief. We, accordingly, direct that it would be open to the petitioner to file such an affidavit within two weeks before the High Court. On such an affidavit being filed by the petitioner, the High Court shall consider the admission of the writ petition as well as vacation of the interim relief expeditiously uninfluenced by any observations made by it earlier. Any remittance of amount by the petitioner herein and respondents Nos. 13 and 14 shall be subject to any order that may be passed by the High Court.

In view of the fact that the petitioner is being relegated to the High Court, this special leave petition does not survive for decision and it stands disposed of in the aforesaid terms.

(D.P. WALIA) (S. KRISHNAN)
COURT MASTERCOURT MASTER