$IT E M NO.1 Court No.7 SECT I O N X
S UP R E M E CO U R T O F I N D I A
R ECO R D OF P R OC E E D I N G S

I.A. No.3 In CIV I L AP P E A L NO(s). 6056 OF 2008

B H A R A T HE A V Y EL ECT R I C A L S LT D. Appellant (s)

VE R S U S

AASG A R AL I & ORS. Respondent(s)

(With appln(s) for directions and prayer for interim relief and office report))

W I T H Civil Appeal NO. 6057 of 2008
(With prayer for interim relief and office report)

Date: 08/05 / 2 009 This Appeal was called on for hearing today.

COR A M :
HON' B L E M R. JUST I C E ALTA M A S KA B I R
HON' B L E M R. JUST I C E CY R I A C JOSE P H

For Appellant(s) Mr. Parijat Sinha,Adv.
Ms. Reshmi Rea Sinha,Adv.
Mr. Shankar Ghosh,Adv.
Mr. Debapriya Samarta,Adv.

For Respondent(s) Mr. A.P. sahay,Adv.
Mr. P.N. Gupta ,Adv

Mr. Uma Datta ,Adv

Mr. Subhash Sharma,Adv.

Mr. Debasis Misra ,Adv

UPON hearing counsel the Court made the following
O R D E R
This application has been filed on behalf of the respondents for modification of the order passed on 5 th February, 2007, staying the operation of the impugned judgment of the High Court, which order was subsequently confirmed on 29 th September, 2008, when leave was granted in both the matters.

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According to the applicants, while civil amenities within B H E L township are being provided by B H E L, Tehbazari demands are being made on behalf of the Nagar Panchayal Ranipur, Hardwar.

Having heard learned counsel for the parties, we modify the order passed on 5 th February, 2007, affirmed subsequently, by restraining the Nagar Panchayat from collecting Tehbazari fee from the vendors until further orders. Let both the appeals be listed for final disposal in the month of September, 2009. Accordingly, B H E L will, for the time being, collect the Tehbazari fee and keep proper account thereof.

(Ganga Thakur) (Juginder Kaur)
P.S. to Registrar Court Master