

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).2957/2006

(From the judgement and order dated 13/01/2006 in NM No.3274/2005  
in AN No. 888/2005 in SN No. 911/2000 in SS No. 965/2000 of The HIGH  
COURT OF BOMBAY)

M/S. P.S.L. BUSINESS CENTRE & ANR.

Petitioner(s)

VERSUS

HEWLETT PACKARD (INDIA) SALES P.LTD.&ORS

Respondent(s)

(With appln(s) for substitution, c/delay in filing substitution appln. and prayer for  
interim relief and office report)

Date: 25/11/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT

HON'BLE DR. JUSTICE MUKUNDAKAM SHARMA

For Petitioner(s)

Mr. Soli J. Sorabjee, Sr.Adv.

Mr. Yatin Shah,Adv.

Mr. Mahesh Agarwal,Adv.

Mr. Rishi Agrawala,Adv.

Mr. Gaurav Goel,Adv.

Mr. Amit Kumar Sharma,Adv.

Mr. E.C. Agrawala,Adv.

For Respondent(s)

Mr. P.V. Dinesh,Adv.

Ms. Sindhu T.P.,Adv.

UPON hearing counsel the Court made the following  
ORDER

Delay in filing substitution application is condoned.  
Prayer for substitution is allowed.  
Leave granted.  
The appeal is disposed of in terms of the signed order.

(Shashi Bala Vij)

Court Master

Signed order is placed on the file.

(Neena Verma)

AR-cum-PS

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6857 OF 2008  
(Arising out of S.L.P.(C) No.2957/2006)

M/s. P.S.L. Business Centre & Anr.

...Appellants

Versus

Howlett Packyard (India) Sales Pvt. Ltd. and Ors.

...Respondents

ORDER

Heard.

Delay in filing substitution application is condoned.

Prayer for substitution is allowed.

Challenge in this appeal is to an order dated 13.01.2006

passed by the High Court of Bombay. The High Court admitted the appeal but did not accept the prayer for interim protection and directed the appellant to deposit a sum of Rs.1,06,00,000/- (Rupees One Crore and six lacs only). It was indicated that in default of payment, the impugned order before the High Court dated 12.09.2005 was to be operative and the plaintiff was to be entitled to decree, as directed in that order.

While issuing notice on 17.02.2006 this Court had granted interim stay of the order of the High Court.

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Having heard learned counsel for the parties, we are of the view that it would be appropriate to continue the interim order till the disposal of the appeal by the High Court. We make it clear that by giving this protection, we have not expressed any opinion on the merits of the case. We request the High Court to explore the possibility of early disposal of the appeal considering the limited nature of the controversy involved.

The appeal is disposed of accordingly.

.....J.

(Dr. ARIJIT PASAYAT)

.....J.  
(Dr. MUKUNDAKAM SHARMA)

New Delhi,  
November 25, 2008.