

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.3360/2003

(From the judgment and order dated 6.1.2003 in APOT 575/2002
of the HIGH COURT OF CALCUTTA)

SANTECH PROJECT ENGG. PVT. LTD.

Petitioner (s)

VERSUS

NICCO CORPN. LTD.

Respondent (s)

(With prayer for interim relief)

(With Appln(s). for exemption from filing c/c of the impugned Judgment)
With

SLP(C)No.4106/2003

Date : 03/03/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL
HON'BLE MR. JUSTICE B.N. SRIKRISHNAFor Petitioner (s) Mr. M.D.Adkar,Adv.
Mr. S.D.Singh,Adv.
Mr. Vishwajit Singh,Adv.For Respondent (s) Mr. Jaideep Gupta,Sr.Adv.
Mr. Pinaki Addy,Adv.
Mr. S.Bhowmick,Adv.
Mr. R.C. Kohli,Adv.UPON hearing counsel the Court made the following
O R D E R

The only dispute in this matter relates to the language in the order used by the Appellate Court in not entertaining the appeal filed by the respondent. The Appellate Court while not entertaining the appeal observed that the respondent's prayer for modification of the order which was the subject matter of the appeal would have to be moved before the learned single judge.

Whether such application for modification is at all maintainable is a question which is expressly left along with all other questions for being decided by the learned single judge if and when such application for modification is filed by the respondent.

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The special leave petitions are disposed of with this observation.

[SUMAN WADHWA][MADHU SAXENA]
COURT MASTER COURT MASTER