

D

SLP(C)No. 3777 OF 2005  
ITEM No.34

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.3777/2005

(From the judgement and order dated 09/11/2004 in FAO(OS) 59/03  
of The HIGH COURT OF DELHI AT N. DELHI)

HOUSING & URBAN DEVELOPMENT CORPN. LTD.

Petitioner (s)

VERSUS

LEELA HOTELS LTD.

Respondent (s)

( With Appln(s). for permission to file lengthy list of dates )  
(With prayer for interim relief)

Date : 01/04/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE G.P. MATHUR

For Petitioner (s)Mr. Harish N. Salve, Sr. adv.  
Mr. R.N. Trivedi, Sr. adv.  
Mr. Ciccuc Mukhopadhaya, Adv.  
Mr. Sanjay Kumar, Adv.  
for M/s Suresh A. Shroff & Co.,Adv.

For Respondent (s)Mr. Ashok H. Desai, Sr. adv.  
Mr. Arun Jaitley, Sr. Adv.  
Mr. Abhimanyu Mahajan, Adv.  
Mr. Gopal Jain, Adv.  
Ms. Shally B. Maheshshwari, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard the learned counsel for the petitioner, as also the learned counsel for the respondent, present on caveat.  
Issue notice.  
Formal notice is waived.  
Counter be filed within six weeks. Rejoinder, if any, may be filed within four weeks thereafter.  
Heard on the question of grant of interim relief.

...2/-  
- 2 -

It is stated at the Bar that an amount of approximately Rs. 163.30 crores has been partly paid and partly deposited by the petitioner and withdrawn by the respondent. This amount is equal to the principal amount. Although the learned counsel for the respondent has submitted that the respondent has a right to appropriate the amount first towards payment of interest and then the balance towards the principal but, we do not express any opinion thereon for the present.  
Until further orders the payment of balance awarded amount which is equivalent to the amount of interest shall remain stayed.

(Ajay Kr. Jain)  
(Radha R. Bhatia)  
Court Master  
Court Master