

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).3146/2006

(From the judgement and order dated 21/11/2005 in WP No. 16462/2004 & WP No. 16463/2004 of The HIGH COURT OF DELHI AT N. DELHI)

STATE OF U.P.

Petitioner(s)

VERSUS

HINDUSTAN UNILEVERS & ORS.

Respondent(s)

(With prayer for interim relief and office report)

(FOR FINAL DISPOSAL)

WITH S.L.P.(C)...CC NO. 3609 of 2006

With I.A. No.1 (C/delay in filing SLP and office report)

Date: 16/07/2008 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Petitioner(s) Mr. Pramod Swarup, Adv.

Mr. Sandeep Singh, Adv.

Mr. Anuvrat Sharma, Adv.

Ms. Alka Sinha, Adv.

Mr. Rakesh Uttamchandra Upadhyay, Adv.

For Respondent(s) Mr. Shyam Diwan, Sr.Adv.

Mr.Gaurav Agrawal, Adv.

UPON hearing counsel the Court made the following  
ORDER

The decision of the High Court directing the U.P. Government to pay the value of the bonds issued by third respondent (U.P. Co-operative Spinning Mills Federation Ltd.) and guaranteed by the petitioner (State of U.P.) is under challenge. The petitioner did not file counter-affidavit before the High Court in spite of repeated opportunities given nor denied the averment that it had irrevocably and unconditionally guaranteed the repayment of the principal amount with interest before the High Court.

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Even in the SLP, the petitioner has not denied the guarantee nor produced the copy of the guarantee. However, after the matter was heard for nearly about half an hour, the learned counsel for the petitioner sought time to produce the guarantee as also the complete "Information Memorandum" issued by the U.P. Co-operative Spinning Mills Federation Ltd. to explain the actual position. As the petitioner is

State Government, we finally adjourn this matter for two weeks to enable the petitioner to produce the documents, subject to the payment of Rs.5,000/- as costs to be deposited by the petitioner with the Supreme Court Legal Services Committee before the next date of hearing and production of receipt.

(PAWAN KUMAR)  
COURT MASTER

(ANAND SINGH)  
COURT MASTER