

SECTION - XII
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NO. 1
(Application for direction)
WITH
INTERLOCUTORY APPLICATION NOS. 2-3
(Application for direction)
IN
CIVIL APPEAL NOS. 8885-8886 OF 2014

M/s. Tamil Nadu Medicinal
Plant Farms & Herbal Medicine
Corp'n. Ltd.

..Petitioner

Versus

Union of India & Ors.

..Respondents

REVISED OFFICE REPORT

It is submitted that Mr. B. Balaji, Advocate for the Petitioner has on 30th October, 2013 deposited a sum of Rs. 36,74,694/- but there was no such order from the Hon'ble Court directing the Petitioner for depositing the above said amount towards 50% of the award amount dated 10th June, 2009 passed in O.P. No. MSEFC/CR/2008 passed by the Micro and Small Enterprises and Facilitation Council, Chennai by abundant Caution.

The matters above mentioned alongwith connected matters were listed before the Hon'ble Court on 22nd November, 2013 when the Hon'ble Court was pleased to inter-alia pass the following order:-

".....In S.L.P. (C) Nos. 16472-16473 of 2013, advocate-on-record for the petitioners has deposited an amount of Rs. 36,74,694/- but there is no order to deposit the said amount.

Let that amount be also invested in a fixed deposit in terms of Office Circular No. F.7/Judl./2007 dated 24.4.2007 initially for a period of six months and to be renewed thereafter for the same period until further orders.

If the deposited amount is not 50% of the award amount, liberty is granted to the affected party to make an application for vacation of stay."

AND thereafter, Interlocutory Application Nos. 2 and 3 (Application for direction in the matter above mentioned) were again listed before the Hon'ble Court on 8th October, 2014, when the Hon'ble Court was pleased to pass the following order:-

"As prayed for, final opportunity is granted to file reply within a period of two weeks. Rejoinder, if any, be filed within one week thereafter.

List on 10th November, 2014."

AND thereafter, the matters were lastly listed before the Hon'ble Court on 28th November, 2014 when the Hon'ble Court was pleased to pass the following order:-

"List the matters on 12th December, 2014. The parties shall calculate the amount as per their own accounts. The Registry shall place the counter affidavit and rejoinder affidavit in I.A.Nos.2 and 3 of 2014 at appropriate place. "

It is submitted that in view of the above order an amount of Rs. 36,74,694/- deposited by the counsel for the petitioner has been invested in a nationalized bank and thereafter, an FDR of an amount of Rs. 38,08,111/- inclusive interest has been got reinvested in FDR and it's date of maturity is 7th December, 2014.

It is further submitted that Mrs. Prabha Swami, Advocate for respondent No. 2 has on 10th February, 2014 filed applications for direction in Special Leave Petition(C) No. 16473 of 2013 (Civil Appeal No. 8886 of 2014) to withdraw balance principal amount of Rs. 33,53,364/- without furnishing any bank guarantee, which are registered as Interlocutory Application Nos. 2-3 and the same has already been included in the Special Leave Petition paper books.

It is further submitted that pursuant to the above quoted order, counsel for the petitioner has on 11th October, 2014 filed reply affidavit in Interlocutory Application No. 2 and 3 and Mrs. Prabha Swami Advocate for Respondent No.2 has on 24th November, 2014 filed Rejoinder Affidavit to the reply affidavit in the above said

Interlocutory Application Nos. 2 and 3. Copies of the same have already been included in the paper book of reply affidavit of Interlocutory Application Nos. 2 & 3.

It is lastly submitted that an amount of Rs. 38,08,111/- plus interest, which has the maturity date of 7th December, 2014 has been further invested in the fixed deposit for a period of one year in terms of this Hon'ble Court's order dated 8th September, 2014.

The matters above mentioned are listed before the Hon'ble Court with this Office Report.

Dated this the 11th day of December, 2014.

ASSISTANT REGISTRAR

Copy to:

Mr. B. Balaji, Advocate
Mrs. Prabha Swami, Advocate
Mr. D. S. Mahra, Advocate

ASSISTANT REGISTRAR

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