

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

IA Nos. 5-6 In Civil Appeal No.2965/1997

STATE OF RAJASTHAN

Appellant (s)

VERSUS

THE SPENCON (I) LTD & ORS

Respondent (s)

(With Appln(s). under Sections 17 and 29 of the Indian Arbitration Act, 1940 r/w S.151 CPC and accepting English translation and directions With Office Report)

Date : 19/11/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAİK
HON'BLE MR. JUSTICE N. SANTOSH HEGDE

For Appellant (s) Mr. D.A.Dave, Sr. Adv.
Mr. Ranji Thomas, Adv.
Mr. Javed Mahmud Rao,Adv.

For Respondent (s) Mr. PN Misra, Sr. Adv.
Mr. Bhargava V. Desai,Adv.
Mr. JP Joshi, Adv.
Mr. Anand Cumar, Adv.
Ms. Sweta Kakkad, Adv.

UPON hearing counsel the Court made the following
O R D E R

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.SP2

This application is by the State of Rajasthan for a direction to The Spincon (India) Ltd. to deposit the money which has been withdrawn, the said money having been deposited pursuant to an order of this Court. The award in favour of The Spincon (India) Ltd. as on now is only 11 lakhs. Objections to the said award have been filed by the said company which will be considered on their own merits. The State also has filed its objections. But notwithstanding the said objections being considered, we cannot permit The Spincon (India) Ltd. to retain the amount which has been drawn pursuant to an order of this Court.

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We, in the circumstances, allow the application filed by the State of Rajasthan and direct that the amount in excess of the amount which has been awarded now by the Arbitrator, be deposited in this Court within four weeks from today. Put up thereafter.

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(J.S. Rawat)
Court Master

(Suneet Bala Sharma)
Court Master