

ITEM NO.63

COURT NO.12

SECTION IV

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

CIVIL APPEAL NO(s). 1501 OF 2005

M.P.STATE ELECTRICITY BD. THRU SECTY

Appellant (s)

VERSUS

BHILAI POWER SUPPLY CO. LTD.

Respondent(s)

(With appln(s) for ex-Parte stay,permission to place addl. documents on
record and Office Report)

WITH

S.L.P.(C) NO. 5249 of 2005 - With prayer for I/Relief and Office Report

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

CORAM :

HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Appellant(s) Mr. CS. Vaidyanathan, Sr.Adv.

in CA 1501 & for Mr. Satish K. Agnihotri,Adv.

RR in SLP.5249: Mrs. Yogmaya, Adv.

Mr. Rohit K. Singh, Adv.

Mr. Amit Mishra, Adv.

For Respondent(s) Mr. Arvind Sawant, Sr.Adv.

in CA.1501 & for Mr. Bharat Sangal,Adv.

ptnr. in SLP.5249: Ms. Sangeeta S. Panicker, Adv.

Mr. RR. Kumar, Adv.

Ms. Poornima Seth, Adv.

Mr. SJ. Kahawale, Adv.

For Chhatisgarh

Ms. Suparna Srivastava, Adv.

State Elec.Board: Mr. Rahul Srivastava, Adv.

Mr. Rajesh Srivastava, Adv.

Ms. Deepti Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

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As earlier directed by this Court, fifty per cent of the principal amount has been

deposited with the Registry of this Court by the appellant - M.P. State Electricity Board.

We have heard learned counsel for the parties on impleadment and issuance of notice

to Chhatisgarh State Electricity Board. Prayer made on behalf of the petitioner for impleadment

has been strongly opposed by the learned counsel appearing for the respondent - Bhilai Power

Supply Company Limited and he prays that the amount deposited by the respondent may be paid

to his client forthwith.

It is pointed out that after re-organization of the States, final allocation of the assets

and liabilities between the two Boards have been made. We think it proper that before the

amount deposited to be paid to the respondent - Bhilai Power Supply Company Limited,

Chhatisgarh State Electricity Board deserves to be noticed.

Issue notice. Ms. Suparna Srivastava, learned counsel accepts

notice on behalf of

Chhatisgarh State Electricity Board and is granted two weeks time to file counter affidavit

Put up the matters after two weeks.

Interim stay granted on 18th March, 2005 is extended till the next date of hearing.

(S. Thapar)

(Phoolan Wati Arora)

PS to Registrar

Court Master