

LISTED ON: 10.11.2016

REGISTRAR COURT NO. **R2** ITEM NO. **92**

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NOS. 19139, 19166, 19306, 19548, 18359-18368, 18745, 18547-18566, 19032-19039, 17081, 19904-19924, 21977-21978, 20146, 21857-21863, 22936, 23005, 24920, 26816, 26873, 27045, 27047, 24867, 26443, 26639 & 27275-27284 OF 2016

AND

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NOS. 29277, 29278, 29208, 31343, 30366-30367, 30388, 30709 OF 2016

M/s. Madras Cements Ltd.

(Now known as M/s Ramco Cements Ltd.) etc.etc.

....Petitioners

Versus

Union of India & Ors.

....Respondents

OFFICE REPORT

SLP (C) Nos. 19139, 19166, 19306, 19548, 18359-18368, 18745, 18547-18566, 19032-19039, 17081, 19904-19924, 21977-21978, 20146, 21857-21863, 22936, 23005, 24920, 26816, 26873, 27045, 27047, 24867, 26443, 26639 & 27275-27284 OF 2016

The matters were listed before the Hon'ble Court on 27th September 2016, when the Court was pleased to pass the following orders:

“SLP(C) Nos.18549, 18556, 18562, 18557, 18561, 18559 and 18566 of 2016 (@ SLP(C) Nos.18547-18566 of 2016)

Since these matters are pending before the Board for Industrial and Financial Reconstruction (BIFR), we are not inclined to entertain these petitions without payment being made by the petitioners. Accordingly they are dismissed.

However, liberty is granted to the petitioners to revive the petitions after the decision is given by the BIFR.

SLP(C) No.27281 of 2016 (@SLP(C) Nos.27275-27284 of 2016)

Last opportunity is granted to the petitioner to pay the amount at six paise per unit on or before 4th October, 2016. This is subject to further orders.

...2/-

SLP(C) No. 19166/2016 (Rashtriya Ispat Nigam Ltd. v. Union of India)

We have been informed that the State of Andhra Pradesh has given a payment schedule. This is confirmed by Mr. V.V.S. Rao, learned senior counsel appearing on behalf of the State of Andhra Pradesh. This particular petitioner will pay the amounts in terms of the schedule which has been given by the State of Andhra Pradesh.

List the matter in the first week of February, 2017.

Remaining matters including SLP(C) No.27281 of 2016 (@SLP(C) Nos.27275-27284 of 2016)

We have heard learned counsel for the parties.

In our opinion, the interim order granted in favour of the petitioners deserves to be varied.

The petitioners have paid @ 6 paise per unit. Since the balance amount is 19 paise per unit, we are of opinion that it would be appropriate if the petitioners pay 50% of the amount, i.e., 9 paise per unit to the respondents within a period of four months from today, i.e., on or before 31st January, 2017. Of course, this payment will be without prejudice to the rights and contentions of either of the parties. The petitioners may make the payment in four equal monthly instalments commencing from the month of October, 2016. It is made clear that the current dues will be paid by the petitioners.

List the matters in the first week of February, 2017.”

Service position of each matter is as under:

SLP (C) No.19139/2016

R #	Notice served through	Served/ Unserved	Remarks
R1	Mr. B.K. Prasad, Advocate, Central Agency Section	Served	V/A not filed so far.
R2 & R3	Mr. G. Prabhakar, Advocate	Served	Already filed Caveat/V/A.
R4 & R5	M/s. Venkat Palwai Law Associates, Advocates	Served	V/A not filed.

SLP (C) No.19166/2016

R1	Mr. B.K. Prasad, Advocate, Central Agency Section	Served	V/A not filed so far.
R2 & R3	Mr. G. Prabhakar, Advocate	Served	Already filed Caveat/V/A.

SLP (C) No.19306/2016

R1 & R2	Mr. G. Prabhakar, Advocate	Served	Already filed Caveat/V/A.
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SLP (C) No.19548, 18745/2016

R1 & R2	Mr. G. Prabhakar, Advocate	Served	V/A filed.
R3 & R4	M/s. Venkat Palwai Law Associates, Advocates	Served	Already filed Caveat/V/A filed.

SLP (C) No.18359-18368/2016

R1 & R2 in SLP 18359, 18360 & 18368 and R2 & R3 in SLP 18361 - 18367	Mr. G. Prabhakar, Advocate	Served	Already filed Caveat/V/A .
R3 & R4 in SLP 18359, 18360 & 18368 and R4 & R5 in SLP 18361 - 18367	M/s. Venkat Palwai Law Associates, Advocates	Served	V/A not filed.
R1 in 18361 - 18367	Mr. B.K. Prasad, Advocate, Central Agency Section	Served	V/A not filed.
R6 in 18361	Registered A.D. Post	Unserved	Returned with postal remarks" Incorrect Address"
R6 in 18362	Registered A.D. Post	Served	Notice delivered on 03.08.2016
R6 in 18363	Registered A.D. Post	Unserved	Returned with postal remarks" Incorrect Address"
R6 in 18365	Registered A.D. Post	Served	Notice delivered on 03.08.2016

SLP (C) No.18547—18566/2016 [SLP (C) Nos.18549, 18556, 18562, 18557, 18561, 18559 & 18566/2016 dismissed vide Court's Order dated 26.09.2016]

R1 & R2 in SLP 18547-18548, R2& R3 in SLP 18549-18555, 18557-18560, 18563-18564 & 18566 and R4 & R5 in SLP 18556, 18561, 18562 & 18565	Mr. G. Prabhakar, Advocate	Served	V/A not filed.
R3 & R4 in SLP 18547-18548 and R4 & R5 in SLP 18549-18555, 18557-18560, 18563-18564 & 18566 and R2 & R3 in SLP 18556, 18561, 18562 & 18565	M/s. Venkat Palwai Law Associates, Advocates	Served	Already filed CaveatV/A.
R5 in SLP 18547	Registered A.D. Post	Unserved	Retruned with postal remarks "No such person"
R1 in SLP 18549-18566	Mr. B.K. Prasad, Advocate, Central Agency Section	Served	V/A not filed.
R6 in SLP 18550	Registered A.D. Post	Served	Notice delivered on 01.08.2016
R6 in SLP 18551	Registered A.D. Post	Served	Notice delivered on 01.08.2016
R6 in SLP 18552 & 18563	Registered A.D. Post	Served	Notice delivered on 06.08.2016
R6 in SLP 18553	Registered A.D. Post	Unserved	Retruned with postal remarks "Left"
R6 in SLP 18555	Registered A.D. Post	Unserved	Retruned with postal remarks "Incorrect Address"
R6 in SLP 18556	Registered A.D. Post	Served	Dismissed vide Court's Order dt.26.09.2016
R6 in SLP 18562	Registered A.D. Post	Served	Dismissed vide Court's Order dt.26.09.2016
R6 in SLP 18565	Registered A.D. Post	Unserved	Neither A.D. Card nor unserved cover recieved back so far.

SLP (C) No.19032-19039/2016

R1 in SLP 19032-19039	Mr. B.K. Prasad, Advocate, Central Agency Section	Served	V/A not filed.
R2 & R3 in SLP 19032-19039	Mr. G. Prabhakar, Advocate	Served	V/A filed.
R4 & R5 in SLP 19032-19039	M/s. Venkat Palwai Law Associates, Advocates	Served	Already filed CaveatV/A.
R6 in 19033 & 19034	Registered A.D. Post	Served	Notice delivered on 01.08.2016

SLP (C) No.17081/2016

R1	Mr. B.K. Prasad, Advocate, Central Agency Section	Served	V/A not filed.
R2 & R3	M/s. Venkat Palwai Law Associates, Advocates	Served	Already filed CaveatV/A.

SLP (C) No.19904-19924/2016

R1 in SLP 19904, 19906, 19909-19918, 19920-19924	Mr. B.K. Prasad, Advocate, Central Agency Section	Served	V/A not filed.
R2 & R3 SLP 19904, 19906, 19909-19918, 19920-19924 and R1 & R2 in SLP 19905, 19907, 19908, 19919	Mr. G. Prabhakar, Advocate	Served	V/A not filed.
R4 & R5 SLP 19904, 19906, 19909-19918, 19920-19924 and R3 & R4 in 19905, 19907, 19908 & 19919	M/s. Venkat Palwai Law Associates, Advocates	Served	Already filed CaveatV/A.
R6 in 19906	Registered A.D. Post	Served	Notice delivered on 01.08.2016
R6 in 19922	Registered A.D. Post	Served	Notice delivered on 11.08.2016

SLP (C) No.21977-21978/2016

R1	Mr. B.K. Prasad, Advocate, Central Agency Section	Served	V/A not filed.
R2 & R3	Mr. G. Prabhakar, Advocate	Served	V/A filed.
R4 & R5	M/s. Venkat Palwai Law Associates, Advocates	Served	V/A not filed.

SLP (C) No.20146/2016

R1	Mr. B.K. Prasad, Advocate, Central Agency Section	Served	V/A not filed.
R2 & R3	Mr. G. Prabhakar, Advocate	Served	V/A filed.

SLP (C) No.21857-21863/2016

R1	Mr. B.K. Prasad, Advocate, Central Agency Section	Served	V/A not filed.
R2 & R3	Mr. G. Prabhakar, Advocate	Served	V/A not filed.
R4 & R5	M/s. Venkat Palwai Law Associates, Advocates	Served	Already filed CaveatV/A.

SLP (C) No.22936/2016

R1	Mr. B.K. Prasad, Advocate, Central Agency Section	Served	V/A not filed.
R2 & R3	M/s. Venkat Palwai Law Associates, Advocates	Served	Already filed CaveatV/A.

SLP (C) No.23005/2016

R1	Mr. B.K. Prasad, Advocate, Central Agency Section	Served	V/A not filed.
R2 & R3	Mr. G. Prabhakar, Advocate	Served	V/A not filed.

SLP (C) No.24920, 24867/2016

R1 & R2	Mr. G. Prabhakar, Advocate	Served	V/A not filed.
R3 & R4	M/s. Venkat Palwai Law Associates, Advocates	Served	V/A not filed.

SLP (C) No.26816, 27047, 26443, 26639/2016

R1	Mr. B.K. Prasad, Advocate, Central Agency Section	Served	V/A not filed.
R2 & R3	Mr. G. Prabhakar, Advocate	Served	V/A filed.

SLP (C) No.26873/2016

R1 & R2	Mr. G. Prabhakar, Advocate	Served	V/A filed.
R3 & R4	M/s. Venkat Palwai Law Associates, Advocates	Served	V/A not filed.

SLP (C) No.26873/2016

R1 & R2	Mr. G. Prabhakar, Advocate	Served	V/A filed.
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SLP (C) No.27275-27284/2016

R1 & R2 in SLP 27275, R2 & R3 in SLP 27276-27281, 27283 & 27284 & R4 & R5 in SLP 27282	Mr. G. Prabhakar, Advocate	Served	V/A not filed.
R3 in SLP 27275 & 27282 R2 in SLP 27282 R4 & R5 in SLP 27275-27281, 27283 & 27284	M/s. Venkat Palwai Law Associates, Advocates	Served	Already filed CaveatV/A.
R1 in SLP 27275-27281, 27283 & 27284 R2 in SLP 27283	Mr. B.K. Prasad, Advocate, Central Agency Section	Served	V/A not filed.

SLP (C) NOS. 29277& 29278/2016

The matters were listed before the Hon'ble Court on 30th September 2016, when the Court was pleased to pass the following orders:

“CC No(s). 18073/2016

Delay condoned.

Issue notice.

In terms of order dated 27.09.2016 passed in SLP (C) 19139/2016 etc., we direct the petitioner to pay the amount at six paise per unit to the respondents within a period of two weeks from today.

Thereafter, the petitioner will pay an additional amount of nine paise per unit to the respondents within four months from today, i.e. on or before 31st January, 2017. In other words, by 31st January, 2017, the petitioner should pay fifteen paise per unit. Of course, this payment will be without prejudice to the rights and contentions of either of the parties. The petitioner may make the payment in four equal monthly instalments commencing from the month of October, 2016. It is made clear that the current dues will be paid by the petitioner.

CC No(s).18767/2016

Delay condoned.

Issue notice.

Learned counsel for the petitioner says that the petitioner has paid the amount at six paise per unit to the respondents. The petitioner will now pay an additional amount of nine paise per unit to the respondents within four months from today, i.e. on or before 31st January, 2017. In other words, by 31st January, 2017, the petitioner should pay fifteen paise per unit. Of course, this payment will be without prejudice to the rights and contentions of either of the parties. The petitioner may make the payment in four equal monthly instalments commencing from the month of October, 2016.

It is made clear that the current dues will be paid by the petitioner.

List the matters in the first week of February, 2017 along with SLP (C) No. 19139/2016 etc.”

Service Position

SLP (C) No.29277/2016

R1	Registered A.D. Post copy to Mr. B.K. Prasad, Advocate, Central Agency Section	Unserved	Returned without postal remarks.
R2 & R3	Mr. G. Prabhakar, Advocate	Served	V/A filed.
R4 & R5	M/s. Venkat Palwai Law Associates, Advocates	Served	V/A not filed.

SLP (C) No.29278/2016

R1	Mr. B.K. Prasad, Advocate, Central Agency Section	Served	V/A not filed.
R2 & R3	Mr. G. Prabhakar, Advocate	Served	V/A filed.

SLP (C) NOS. 29208/2016

The matter was listed before the Hon'ble Court on 17th October 2016, when the Court was pleased to pass the following orders:

“Issue notice.

The petitioner has paid @ 6 paise per unit. Since the balance amount is 19 paise per unit, we are of opinion that it would be appropriate if the petitioner pays 50% of the amount, i.e., 9 paise per unit to the respondents within a period of four months from today, i.e., on or before 31st January, 2017. Of course, this payment will be without prejudice to the rights and contentions of either of the parties. The petitioner may make the payment in four equal monthly instalments commencing from the month of October, 2016. It is made clear that the current dues will be paid by the petitioner.

List the matter in the first week of February, 2017 along with SLP(C) No.19139 of 2016.”

SERVICE POSITION

R1 & R2	Mr. G. Prabhakar, Advocate	Served	V/A not filed.
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SLP (C) Nos. 31343, 30366-30367, 30388, 30709 OF 2016

The matters were listed before the Hon'ble Court on 21st October 2016, when the Court was pleased to pass the following orders:

“Delay condoned.

Issue notice.

Learned counsel for the petitioner(s) says that the petitioner(s) have paid the amount at six paise per unit to the respondents.

The petitioner(s) will now pay an additional amount of nine paise per unit to the respondents within four months from today, i.e. on or before 31st January, 2017. In other words, by 31st January, 2017, the petitioner(s) should pay fifteen paise per unit. Of course, this payment will be without prejudice to the rights and contentions of either of the parties. The petitioner(s) may make the payment in four equal monthly instalments commencing from the month of October, 2016. It is made clear that the current dues will be paid by the petitioner(s).

List the matters in the first week of February, 2017 along with SLP (C) No. 19139/2016 etc.”

It is submitted that show cause notice is yet to be issued in these matters.

The Office Report is listed before the Ld. Registrar's Court for orders.

Dated this the 9th Day of November, 2016.

ASSISTANT REGISTRAR

Copy to :

1. Mrs. Prabha Swami, Advocate,
126, M.C. Setalvad Lawyers' Chambers,
Supreme Court of India, New Delhi.
2. Mr. Guntur Prabhakar, Advocate,
Andhra Pradesh Bhavan,
1, Ashoka Road, New Delhi.
3. M/s. K.J. John & Co., Advocates,
428, M.C. Sethalwad Lawyer's Chambers,
4. M/s. Venkat Palwai Law Associates, Advocate,
304-306, Sikka Plaza, Mayur Vihar Phase -I,
New Delhi.
5. Mr. S. Narain & Co., Advocate,
305, C.K. Daphtary Block Lawyers Chambers.
6. Mr. Y. Rajagopala Rao, Advocate
103, Old Lawyears Chamber,
7. Mr. Sudhir Naagar, Advocate
8. *Mr. B.K. Prasad, Advocate
Standig Counsel for Union of India
Central Agency Section.
*You are requested to file Vakalatnama/Appearnce on behalf of Union of India.

9. Mr. Sridhar Potaraju, Advocate
D-305, Second Floor,
Defence Colony, New Delhi-110023.
10. Mr. A.D.N. Rao, Advocate
11. Mr. Sadineni Ravi Kumar
12. Mr. Vishal Arun, Advocate
13. Mr. V.R. Anumolu, Advocate

ASSISTANT REGISTRAR

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