

ITEM NO.1

COURT NO.7

SECTION XII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).7363/2005

(From the judgement and order dated 20/10/2004 in OSA No. 218/1998 of The HIGH COURT OF MADRAS)

M/S. SHAW WALLACE & CO. LTD. & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(With prayer for interim relief)

Date: 08/12/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner(s)

Mr.C.A.Sundaram, Sr.Adv.

Mr.P.B.Suresh, Adv.

Mr.Vipin Nair, Adv.

Mr.V.K.Biju, Adv.

Mr.Santhanam, Adv.

For M/S. Temple Law Firm,Adv.

For Respondent(s)

Mr.Amrendra Saran, ASG

Mr.T.S.Doabia, Sr.Adv.

Mr.Anuvrat Sharma, Adv.

Mr.Amit Kumar Khandelwal, Adv.

Mr.Sanjay Kumar Singh, Adv.

Mr. D.S. Mahra,Adv.

UPON hearing counsel the Court made the following

O R D E R

Special Leave granted.

There shall be stay of the operation of the impugned judgement and order to the extent that the liability shall not be enforced as against the agent(appellant No.1).

So far as

appellant No.2 is concerned, it shall deposit the principal amount due and provide security to the

satisfaction of the Registrar, Madras High Court for the amount of interest due as per the decree.

Counsel for the appellants states that in the event of the appellants succeeding

before this Court, the respondent should be directed to refund the amount paid with interest at

such rate as this Court may consider reasonable. We are of the view that this matter may be

agitated before the Bench hearing the appeal.

(Satish K. Yadav)

Court Master

(Vijay Dhawan)

Court Master