

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

RECORD OF PROCEEDINGS

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

(From the judgement and order dated 20/10/2004 in OS Appeal No. 218/19  
98 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: 21/04/2005 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. Aryama C.Sundaram, Sr. Adv.

Mr. P.B. Suresh, Adv.

Mr. Vipin Nair, Adv.

Mr. V.K. Biju, Adv.

for M/S. Temple Law Firm,Adv.

For Respondent(s)

Mr.A. Sharan, ASG.

With Mr. Vikash Sharma, Adv.

Mr. D.S. Mahra,Adv.

UPON hearing counsel the Court made the following

O R D E R

Issue notice on the application for interim relief as well as on the special leave petition

returnable in four weeks.

Counsel for the petitioners submitted that even accepting all the findings as they are,

the courts below ought to have held that the liability of the petitioners was limited to 1215 DM. He

also submits that so far as the petitioner 1-agent is concerned, he cannot be held personally liable for

damages in view of the provisions of Section 230 of the Indian Contract Act.

Learned Additional Solicitor General is granted time to file counter affidavit, which

may be filed in the mean time.

(Sheetal Dhingra)

(Vijay Dhawan)

Court Master

Court Master