

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).4 7 4 4 / 2 0 0 6

(From the judgement and order dated 0 1 / 0 2 / 2 0 0 6 in CMW P No. 3 1 1 9 9 / 2 0 0 5 of The HIGH C O U R T O F J U D I C A T U R E AT A L L A H A B A D)

M/S. K I S A N S A H K A R I C H I N I M I L L S L T D.

Petitioner(s)

V E R S U S

U N I O N O F I N D I A & O R S.

Respondent(s)

(With appln(s) for exemption from filing O.T., permission to file additional documents and prayer for interim relief and office report)

W I T H

C.A. No.5 8 5 6 of 2 0 0 5

(With application for exemption from filing c/c of the impugned judgment and permission to file additional documents and impleadment and intervention and impleading party and exemption from filing OT and permission to file rejoinder affidavit and permission)

C.A. No.5 8 5 7 / 2 0 0 5

(With application for permission to file rejoinder affidavit and with prayer for interim relief)

C.A. No.5 8 5 8 of 2 0 0 5

(With application for permission to file additional documents and c/delay in filing addl. affidavit and with prayer for interim relief and office report)

S.L. P .(C) No.1 3 9 8 of 2 0 0 6

(With office report)

Date: 2 5 / 0 7 / 2 0 0 7 These petitions were called on for hearing today.

C O R A M :

H O N ' B L E D R. J U S T I C E A R I J I T P A S A Y A T

H O N ' B L E M R. J U S T I C E S . H. K A P A D I A

F o r A p p e a r i n g P a r t i e s :

Mr. Vivek K. Tankh a , Sr. Adv.

Mr. Anurag Shar m a , Adv.

Ms. Ratn a Kaul, Adv.

Mr. P r a s h a n t K u m a r , Adv.

Mr. Mohan P a r a s a r a n , ASG

Mr. Navin Pr a k a s h , Adv.

Mr. R.S. Ran a, Adv.

Mr. S. Wa si m A. Qadri, Adv.

Mr. V.K. Verma, Adv.

-2-

Mr. Ranjit Ku m a r , Sr. Adv.

Mr. Gopal J ain, Adv.

Mr. Mahesh Agarwal, Adv.

Mr. Rishi Agrawal a, Adv.

Mr. Gaur av Goel, Adv.

Mr. Amit Ku m a r Shar m a , Adv.

Mr. E.C. Agrawal a, Adv.

Mr. R. F. Narim a n, Sr. Adv.

Mr. Amit Sibal,Adv.  
Mr. Syed Shahid Hussain Rizvi,Adv.

Mr. Arun Jaitley, Sr.Adv.  
Mr. Rakesh Dwivedi, Sr.Adv.  
Mr. P.H. P a r e k h,Adv.  
Mr. Sumit Goel,Adv.  
Mr. Kush Chaturvedi,Adv.

for M/S P.H. P a r e k h & Co.

Mr. R. F. Narim a n, Sr.Adv.  
Mr. Amit Sibal,Adv.  
Mr. Akhil Sibal,Adv.  
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Mr. Sanjiv Ku m a r Singh,Adv.  
Ms. Hina Rizvi,Adv.  
Mr. Syed Shahid Husain Rizvi,Adv.

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Mr. R.G. P a d i a, Sr.Adv.  
Mr. Gunna m Venk ateswa r a Rao,Adv.  
Mr. Gaur av Bhatia,Adv.  
Mr. Ka mlendr a Misra,Adv.

Ms. Anuradha Dutt,Adv.  
Mr. Sindhu Sinha,Adv.  
Ms. Vijaya l a k s h m i Menon,Adv.

Mr. Jayant Bhush a n, Sr.Adv.  
Mr. Sanjeev Ku m a r ,Adv.  
for M/s. Kh a i t a n & Co.

Mr. P a r i j at Sinha,Adv.

Ms. Indu Malhotra,Adv.

Mrs. Manik Ka r a n j a w a l a ,Adv.

Mr. Sanjeev Anand,Adv.

Mr. Pr aveen Ku m a r ,Adv.

-3-

Mrs. V.D. Kha n n a ,Adv.

Mr. Satish Vig,Adv.

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

S.L. P .(C) NO.4 7 4 4 OF 2 0 0 6

Leave granted.

The appeal is disposed of in terms of the signed  
order.

C.A. Nos.5 8 5 6 / 0 5 , 5 8 5 7 / 0 5 , 5 8 5 8 / 0 5 & S L P (C) 1 3 9 8 / 0 6

List in usual course.

(Neena Verma)  
Court Master

(Madhu Saxena)  
Court Master

Signed order in SL P (C) 4 7 4 4 / 2 0 0 6  
is placed on the file.

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.....OF 2007  
(Arising out of S.L.P.(C.) No.4744 of 2006)

M/s. Kisan Sahkari Chini Mills Ltd. ...Appellant

Versus

Union of India & Ors. ...Respondents

ORDER

Heard learned counsel for the parties.  
Leave granted.

Without expressing any opinion on the merits of the case, we deem it proper to remit the matter back to the Allahabad High Court for deciding the issues involved in the light of the decision of this Court in Ojas Industries (P) Ltd. Vs. Oudh Sugar Mills Ltd. and Ors. (2007 (4) SCC 723). The parties shall be free to place materials in support of their respective stand before the High Court. Needless to say that those shall be considered in the proper perspective.

The appeal is accordingly disposed of.

.....J.  
(Dr. ARIJIT PASAYAT)

.....J.  
(S.H. KAPADIA)

New Delhi,  
July 25, 2007.