

ITEM NO.4

COURT NO.6

SECTION IX/IIA

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).4683/2006

(From the judgement and order dated 21/02/2006 in LPA No. 245/2006
in SCA No. 23508/2005 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

BANK OF INDIA

Petitioner(s)

VERSUS

MADHAVPURA MERCANTILE COOP.BANK LTD.&ORS

Respondent(s)

(With appln.(s) for permission to file affidavit and permission to file
addl. documents and with prayer for interim relief and office report)

WITH

SLP(Crl.) No. 370-373/2005

(With appln.(s) for exemption from filing O.T. and stay and intervention
and modification/variation of order dated 2.8.2006 with affidavit
and office report)

Date: 09/01/2007 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE TARUN CHATTERJEE

For Petitioner(s)

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

Mr. Nitin Thakkar, Sr. Adv.

Mr. Satish Shetty, Adv.

Mr. Gopal Jain, Adv.

Mr. MAC Bodhanwala, Adv.

Mr. R.N. Karanjawala, adv.

Ms. Ruby Singh Ahuja, Adv.

Ms. Ritu Sharma, Adv.

Mrs Manik Karanjawala, Adv.

Ms. Kamini Jaiswal, Adv.

Mrs. Shomila Bakshi, Adv.

Mrs. Rani Mishra, Adv.

For Respondent(s)

Mr. Anil B. Diwan, Sr. Adv.

Mr. Vikram Bajaj, Adv.

Mr. Sanjeev Kumar, Adv.

for M/s. Khaitan & Co., Adv.

Mr. Nandish Chudgar, Adv.

Ms. Sushma Sharma, Adv.

Mr. R.N.Trivedi, Sr. Adv.

Mr. Kuldeep Parihar, Adv.

Mr. H.S. Parihar, Adv.

...2/-

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Mr. Ashok H. Desai, Sr. Adv. (NP)

Mr. K.G. Vakharia, Sr. Adv.

Mr. Mahesh Agarwal, Adv.

Mr. Rishi Agrawal, Adv.

Mr. Gaurav Goel, Adv.

Mr. E.C. Agrawala, Adv.

Ms. Hemantika Wahi, Adv.

Ms. Sadhana Sandhu, Adv.

Mrs. Purnima Bhat Kak, adv.

Mr. SWA Qadri, adv.

Mr. Laxmi Raman Singh, Adv.

Mr. P. Parmeswaran, Adv.

UPON hearing counsel the Court made the following

O R D E R

SLP(C) No. 4683/2006

No orders on intervention application (I.A. No.7/2006).

In I.A. No. 8/2006 in SLP(C) No. 4683/2006, the Bank of India has brought to the notice of this Court the final order passed by the DRAT, Mumbai disposing of the appeal. In view of the final disposal of the appeal, we do not wish to pass any further orders and it is open to the Bank of India to challenge the order of the DRAT, Mumbai in accordance with law, if so advised. We, however, direct that the orders of this Court dated 18.10.2006 and 09.11.2006 shall continue to operate for a period of two weeks from today. The intervenor Deposit Insurance and Credit Guarantee Corporation may seek its remedy in accordance with law and we do not wish to say anything in that regard. The special leave petition challenging an interim order is dismissed in view of the disposal of the appeal by the DRAT. Parties will take appropriate steps before the Gujarat High Court for withdrawal of the writ petition and the appeal pending before it.

...3/-

SLP(Cr1) Nos. 370-373/2005

We are informed that pursuant to the order of this Court dated 9.11.2006,

The petitioner has deposited by Pay Order a sum of Rs. 2.75 crores in the first week of January and he has also given a post dated cheque payable on or after 20.01.2007 for the balance amount due on 30.12.2006. The balance amount of installment falls due on 31st January, 2007.

Let this special leave petition be listed in the first week of February, 2007

so that we may be informed whether the entire amount in terms of the order of this Court dated 9.11.2006 has been paid or not.

(Ajay Kr. Jain)

Court Master

(Vijay Dhawan)

Court Master