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SLP(C)No. 5238 OF 2003

ITEM No.204

Court No.10

SECTION XII
A/N MATTER

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.5238/2003

(From the judgement and order dated 28/02/2003 in CMP 17953/2002
in AS 777/2002 of The HIGH COURT OF MADRAS)

BOB TUBES & MACHINERIES PVT. LTD. & ORS.

Petitioner (s)

VERSUS

M/S. WAVIN INDIA LTD. & ANR.

Respondent (s)

(With prayer for interim relief and office report)
(For Final Disposal)

Date : 01/08/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s)Mr. P.V. Dinesh,Adv.
Mr. M. Iqbal,Adv.
Mr. Joseph P.I.,Adv.

For Respondent (s)Mr. Ashok K. Mahajan,Adv.
Ms. Yasmeet,Adv.

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

On the request of learned counsel for the petitioners, Respondent No.2 is deleted from the array of parties at the risk and cost of the petitioners.

Heard learned counsel for the parties for a while.

Leave granted.

The civil appeal is disposed of.

No costs.

[T.I. Rajput] [Shelly Sengupta]
Court Master Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5466 OF 2003

(Arising out of S.L.P. (C) No. 5238 of 2003)

Bob Tubes & Machineries Pvt. Ltd. & Ors. ...Appellant(s)

Versus

M/s. Wavin India Ltd. & Anr. ...Respondent(s)

O R D E R

Heard the learned counsel for the parties.

Leave granted.

Looking to the facts and circumstances of the case, it would be just and appropriate that the respondent furnishes security, before withdrawing the sum of Rupees four lakhs deposited, to the satisfaction of the court in which it has been deposited.

The impugned order remains undisturbed, subject to the above modification.

The civil appeal is, accordingly, disposed of.

No costs.

.....J.
[SHIVARAJ V. PATIL]

.....J.
[D.M. DHARMADHIKARI]
New Delhi,
August 01, 2003.