

LISTED ON: 22.07.2014
BEFORE COURT NO: 2
ITEM NO: 106

SECTION: XIV
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5225 OF 2008

KSL & INDUSTRIES LTD. ...APPELLANT
VERSUS
M/S. ARIHANT THREADS LTD. & ORS. ...RESPONDENTS

OFFICE REPORT

It is submitted that the appeal above mentioned was listed before the Hon'ble Court on 25.8.2008 for Judgment when the separate Judgments (reported in 2008 Vol. 9 JT 381) were pronounced by their Lordships with the following Order:-

"Hon'ble Mr. Justice C.K. Thakkar pronounced his Judgment in the matter.

Leave granted.

The order of the High Court is set aside and the matter is remitted to the High Court to decide it afresh on all points including the conduct of the Company after hearing the parties. All contentions of all parties are kept open.

The appeal is allowed with costs..

Hon'ble Mr. Justice Altamas Kabir pronounced the separate judgment allowing the appeal and setting aside the order of the High Court with costs assessed at Rs.50,000/- without remanding the matter to the High Court.

Although, both the Hon'ble Judges held that the appeal deserves to be allowed and the order of the High Court is to be set aside, in view of the differences of opinion on interpretation of Section 34 of the Recovery of Debts Due to Banks and Financial Institutions Act, 1993, the Registry is directed to place the papers before the Hon'ble the Chief Justice of India for taking appropriate action in accordance with law."

The application for early hearing (I.A. No. 3) was listed before the Hon'ble Court on 07.03.2014 when the Court was pleased to pass the following order:-

"List the appeal in the month of July, 2014. I.A. for early hearing is disposed of."

..2/-

..2..

It is submitted that there are five Respondents. Respondent Nos. 1 and 2 are represented through Mr. Ajay Choudhary, Advocate. Respondent Nos. 3, 4 & 5 are represented through Mr. Punit D. Tyagi, Ms. Shalu Sharma and MR. Rabin Majumdar, Advocates respectively.

Service is complete.

The appeal above mentioned is listed before the Hon'ble Court with this office report.

DATED THIS THE 21st DAY OF JULY, 2014.

ASSISTANT REGISTRAR

COPY TO:

1. Ms. Sujata Kurdukar, Advocate
2. Mr. Ajay Choudhary, Advocate
3. Mr. Punit D. Tyagi, Advocate
4. Ms. Shalu Sharma, Advocate
5. Mr. Rabin Majumdar, Advocate

ASSISTANT REGISTRAR

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