

SUPR EME COUR T OF I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).4194/2007

(From the judgment and order dated 23/02/2007 in MA No.185/2006 in MA No.116/2006 in O.A.No.277/2000 of the Debt Recovery Appellate Tribunal)

PRATAP RAJASTHAN COPPER FOIL.& LAM.LTD.

Petitioner(s)

VERSUS

RIYA GARMENTS (P) LTD.& ORS.

Respondent(s)

(With prayer for interim relief and office report)(For final disposal)

WITH

SLP(C) NO. 5689 of 2007 - With appln. for permission to place addl. documents on reocrd, exemption from filing O.T., recalling the Court's order and permission to file addl. affidavit and with office report)
(For final disposal)

Date: 21/08/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA
HON'BLE MR. JUSTICE AFTAB ALAM

For Petitioner(s) Mr. T.R. Andhyarujina, Sr.Adv.
in SLP.5689/2007: Mr. Shyam Diwan, Sr.Adv.
Mr. A.D.N. Rao, Adv.

in SLP.4194/2007: Mr. Sudhir Gupta, Adv.
Mr. Amarjit Singh Bedi,Adv.

For Respondent(s) Mr. T.R. Andhyarujina, Sr.Adv.
Mr. Shyam Diwan, Sr.Adv.
Mr. Annam D.N. Rao,Adv.

Mr. Ram Jethmalani, Sr.Adv.
Mr. Saurabh Ajay Gupta, Adv.
Mr. Ankur Chawla, Adv.
Mr. Jayant Mohan, Adv.
Mr. Rahul Pratap, Adv.
Ms. Manik Karanjawala, Adv.
Mr. Sudhir Gupta, Adv.
Mr. Syed Shahid Husain Rizvi, Adv.

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UPON hearing counsel the Court made the following
ORDER

SLP(C) No. 5689 of 2007

Generally, this Court does not entertain Special Leave Petitions against the Orders of the Tribunal as we are not sitting in First Appeal, particularly when findings of fact are recorded as in this case by Debt

Recovery Appellate Tribunal. If M/s Riya Garments Private Limited is aggrieved by the decision of DRAT dated 29th June, 2009, it would be open to M/s Riya Garments Private Limited to get its rights worked out in accordance with law within a period of four weeks. Parties will maintain status quo as of today for four weeks from today.

Subject to above the Special Leave Petition is dismissed.

SLP(C) No. 4194 of 2007

In view of our above Order counsel seeks leave to withdraw the Special Leave Petition filed by Pratap Rajasthan Copper Ltd. Permission granted. The Special Leave Petition is dismissed as withdrawn.

(S. Thapar)
PS to Registrar

(Madhu Saxena)
Court Master