

SLP(C)No. 6607 OF 2004
ITEM No.57

Court No. 5

SECTION IX
A/N MATTER

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.6607/2004
(From the judgment and order dated 22/03/2004 in FA 2638/03
of The HIGH COURT OF GUJARAT AT AHMEDABAD)

STATE BANK OF INDIA & ANR.

Petitioner (s)

VERSUS

P.K. THAKKAR CONST. PVT. LTD.
(With prayer for interim relief)

Respondent (s)

Date : 27/09/2004 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA
HON'BLE MR. JUSTICE H.K. SEMA

For Petitioner (s)Mr. Soli J. Sorabjee, Sr. Adv.
Mr. Sanjay Kapur, Adv.
Mr. Shubhra Kapur, Adv.
Mr. Rajiv Kapur, Adv.

For Respondent (s)Mr. T.R. Andhyarujina, Sr. Adv.
Mr. Ramesh P. Bhatt, Sr. Adv.
Mr. Nand Lal Thakkar, Adv.
Mr. Chirag M. Shroff, Adv.
Mr. M.S. Girish, Adv.
Mr. M.N.Shroff, Adv.

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

Leave granted.

The Appeal stands disposed of in terms of the signed order. There will be no order as to costs.

(K.K. Chawla)
Court Master

(Jasbir Singh)
Court Master

[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2004
(ARISING OUT OF SLP(C) NO.6607 OF 2004)

STATE BANK OF INDIA & ANR.

Appellant (s)

VERSUS

P.K. THAKKAR CONST. PVT. LTD.

Respondent (s)

O R D E R

Leave granted.

Heard parties.

The impugned order is varied to the extent that the Respondent will be allowed to withdraw Rs. 1 Crore on furnishing a Bank Guarantee of a Nationalised Bank to return the amounts in the event the Appellants succeed in the Suit.

The Appeal stands disposed of accordingly. There will be no order as to costs.

.....J.
(S.N. Variava)

.....J.
(H.K. Sema)
New Delhi;
September 27, 2004.

ITEM No.57

Court No. 5

SECTION IX
Fresh

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.8808/2004

(From the judgment and order dated 22/03/2004 in FA 2638/2003
of The HIGH COURT OF GUJARAT AT AHMEDABAD)

P.K. THAKKAR CONST. PVT. LTD.

Petitioner (s)

VERSUS

STATE BANK OF INDIA & ANR.

Respondent (s)

(With appln. for exemption from filing C/C of the impugned
judgment and with prayer for interim relief)

Date : 27/09/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA
HON'BLE MR. JUSTICE H.K. SEMA

For Petitioner (s) Mr. Ramesh P. Bhatt, Sr. Adv.
Mr. Chirag M. Shroff, Adv.
Mr. M.N. Shroff, Adv.

For Respondent (s)

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

Mr. Bhatt applies for permission to withdraw the Special Leave Petition. The Special Leave Petition is dismissed as withdrawn.

(K.K. Chawla)
Court Master

(Jasbir Singh)
Court Master