

NITEM NO.1E
[FOR JUDGMENT]

COURT NO.6

SECTION XIV

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).9553/2010

(From the judgement and order dated 30/11/2009 in LPA No. 613/2009 of
The HIGH COURT OF DELHI AT N. DELHI)

M/S KUNJ ALUMINIUM P.LTD. Petitioner(s)

VERSUS

M/S KONINKLIJKE PHILIPS ELECTRONICS NV Respondent(s)

Date: 04/04/2011 This Petition was called on for Judgment today.

HEARD BY : HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Petitioner(s)
Mr. Rajiv Mehta, Adv.

For Respondent(s)
Mr. R.Chandrachud, Adv.

HON'BLE MR. JUSTICE MARKANDEY KATJU pronounced the
judgment of the Bench comprising His Lordship and
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA.

Leave granted.

The Appeal is allowed.

(Rajesh Dham) (Neelam Arora)
Court Master Court Master

(reportable signed judgment is placed on the file)
REPORTABLE

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2915 OF 2011
(Arising out of Special Leave Petition (C) No.9553 of 2010)

M/s. Kunj Aluminium Private Limited .. Appellant (s)

-versus-

M/s. Koninklijke Phillips Electronics NV .. Respondents (s)

J U D G M E N T

Markandey Katju, J.

1. Leave granted.

2. Heard learned counsel for the parties.

3. This appeal has been filed against the impugned judgment of the Delhi High Court dated 30.11.2009 passed in Letters Patent Appeal No.613 of 2009. Without going into the merits of the controversy we find that the impugned judgment of the Division Bench dated 30.11.2009 gives no reasons.

4. The impugned judgment of the Division Bench on ly states :

"5. We have heard Mr. Arvind Nigam, learned Senior counsel appearing for the appellant at length. We have also perused the documents on records as well as the impugned judgment of the learned Single Judge.

6. We are of the considered view that the impugned order suffers from no legal infirmity which warrants interference by way of appeal."

5. In our opinion this was not the way to dispose off an appeal. The impugned order is too cryptive. There should have been at least a brief discussion of facts and some reasons. It has been held by this Court that even an order of affirmance must give some reasons, even if brief

vide Chairman, Disciplinary Authority, Rani Lakshmi B ai

Kshetriya Gramin Bank vs. Jagdish Sharan Varshney & Ors.

JT 2009(4) SC 519. Hence we set aside the impugned order

and remand the matter to the Division Bench for a fresh hearing in accordance with law, expeditiously.

6. Appeal is allowed. No costs.

.....J.
[MARKANDEY KATJU]

.....J.
[GYAN SUDHA MISRA]