

ITEM NO.101

COURT NO.12

SECTION XIV

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

Civil Appeal No(s). 8485/2011

M/S SHANTI FRAGRANCES

Appellant(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

WITH

C.A. No. 8486/2011 (XIV)
C.A. No. 8487/2011 (XIV)
C.A. No. 8488/2011 (XIV)
C.A. No. 8491-8494/2011 (XIV)
C.A. No. 8495/2011 (XIV)
C.A. No. 8496-8501/2011 (XII)
C.A. No. 8502/2011 (XII)
C.A. No. 8617/2014 (III-A)
C.A. No. 10374-10379/2014 (III-A)

Date : 21-09-2017 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

For Appellant(s) Mr. S.K. Bagaria, Sr. Adv.
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Mr. Aditya Dubey, Adv.
 Mr. Ashutosh Kumar Sharma, Adv.
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 Mr. Ravi Prakash Mehrotra, AOR

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

The Court came to the following conclusion, in terms of
 the signed reportable Judgment.

"Given the head on conflict between the Kothari Products
 (supra) line of judgments and the Agra Belting Works (supra)
 line of judgments, together with the aforesaid conundrum
 insofar as the doctrine of precedent qua this Court is
 concerned, we request the Hon'ble Chief Justice of India to
 constitute an appropriate Bench in order to decide as to

whether the Kothari Products (supra) line or the Agra Belting Works (supra) line is correct in law, and also to lay down, as a matter of law, as to whether and to what extent the propositions contained in Ningappa Ramappa Kurbar (supra), Lokur, J.'s observation in Supreme Court Advocates-on-Record Association (supra), and the Harper (supra) judgment of the Court of Appeal in U.K. should guide us for the future."

(R. NATARAJAN)
COURT MASTER

(SAROJ KUMARI GAUR)
COURT MASTER

(Signed reportable Judgment is placed on the file)