

SUPREME COURT OF INDIA
REVISED RECORD OF PROCEEDINGS

IA No.22 in CIVIL APPEAL NO(s). 3769 OF 1996

BUFFALO TRADERS WELFARE ASSON.

Appellant (s)

VERSUS

U O I & ORS

Respondent(s)

(For intervention)

Date: 18/07/2007 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN
HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE MR. JUSTICE A.K. MATHUR

For UOI
Mr. T.S. Doabia, Sr. Adv.
Ms. Rekha Pandeh, Adv.
Mr. D.S. Mahra, Adv.
Mr. R.C. Khatia, Adv.for
Mrs Anil Katiyar,Adv.

Mr. V.K. Verma, Adv.
Mrs. Kiran Bhardwaj, Adv.

For MCD
Mr. Sanjiv Sen, Adv.
Mr. Praveen Swarup, Adv.
Mr. Subhash Bansal, Adv.
Mrs.Amita Gupta,Adv.

Mr. Vishnu B. Saharya, Adv. for
M/S Saharya & Co. ,Adv

For CPCB
Mr. Vijay Panjwani ,Adv

Buffalo Traders
Assn.
Mr. Prashant Kumar ,Adv
Mr. J. Pookkatt, Adv.
Mr. Rajiv Mishra, Adv.
Mr. P.H. Parekh, Adv. for
M/S P.H. Parekh & Co. ,Adv

For State of U.P. Ms. Savitri Pandey, Adv.
Mr. Anuvrat Sharma ,Adv
Mr. S. Wasim A. Qadri, Adv.

UPON hearing counsel the Court made the following
ORDER

Put up on 25th September, 2007 at 10.30 A.M.

In the meantime, the respondent shall pay all statutory taxes on the proportionate rate of work done up to a total amount of Rs.113 crores. Treating the entire value at Rs.113 crores shall not be taken to be the price fixed by the Court. The same shall be determined later. We are mentioning this figure as per the Report of ILFS accepted by M.C.D.

The Contractor shall get the performance guarantee revalidated as per the original agreement and Office Order dated 21-03-2005 within three days of the receipt of the return of the expired performance guarantee by the M.C.D. M.C.D. is directed to make available to the Contractor the expired performance guarantee within seven days for revalidation. Counsel appearing for M.C.D., on instructions, submits that the M.C.D. shall make the payment towards taxes referred to above within three weeks.

M.C.D. is directed to pay another sum of Rs. Eight Crores to the contractor within a week from the date of revalidation of the performance guarantee.

(Sudhir Kapoor)
PS to Registrar

(Neeru Bala Vij)
Court Master