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C.A.No. 9672 OF 2003

ITEM No.1E
(For Judgment)

Court No. 1

SECTION XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No. 9672 of 2003

Milkfood Ltd.

...Appellant(s)

vs.

M/s. GMC Ice Cream (P) Ltd.

...Respondent(s)

With

Civil Appeal Nos. 9673-9674/2003

(Heard by Hon'ble by the Chief Justice, Hon'ble S.B. Sinha and
S.H. Kapadia, JJ.)

Date: 05/04/2004 These matters were called on for pronouncement of
judgment today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE S.H. KAPADIA

For Appellant (s)Ms. Indra Sawhney, Adv.

For Respondent (s)Mr. Neeraj Shekhar, Adv. for
Mr. Ambhoj Kumar Sinha, Adv.

Hon'ble Mr. Justice S.B. Sinha pronounced judgment on behalf of the Hon'ble the Chief Justice and himself allowing C.A. No. 9672/2003 and dismissing C.A. Nos. 9673-9674/2003 for the reason s stated in, and in terms of, the signed judgment. No costs.

Hon'ble Mr. Justice S.H. Kapadia pronounced a separate judgment dismissing C.A. No. 9672/2003 as also C.A. Nos. 9673-9674/2003. There shall be no order as to costs.

Judgments are Reportable.

The Court made the following
ORDER

In view of the majority judgment, Civil Appeal No. 9672/2003 is allowed.

Civil Appeal Nos. 9672-9673/2003 are dismissed.

No costs.

(D.P. WALIA) (JANKI BHATIA)
COURT MASTER COURT MASTER

(Separate Signed Judgments and Order of the Court are placed
on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.9672 OF 2003

Milkfood Ltd.... Appellant

vs.

M/s. GMC Ice Cream (P) Ltd.... Respondent

(with Civil Appeal Nos. 9673-9674/2003)

O R D E R

In view of the majority judgment, Civil Appeal No. 9672/2003 is allowed.

Civil Appeal Nos. 9673-9674/2003 are dismissed.

No costs.

.....CJI(V.N.KHARE)

.....J
(S.B. SINHA)

.....J
(S.H. KAPADIA)
New Delhi;
April 5, 2004.