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SLP(C)No. 6630 OF 2003
ITEM No.15

Court No. 8

SECTION IX

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.6630/2003
(From the judgement and order dated 16/04/2002 in AN 518/01
of The HIGH COURT OF BOMBAY)

ADVANCE COMMERCIAL CO. LTD.

Petitioner (s)

VERSUS

MAHARASHTRA STATE ELECTRICITY BOARD

Respondent (s)

(With prayer for interim relief)

Date : 25/04/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s) Mr.Jaideep Gupta,Sr.Adv.
Mr.Aman Vachher,Adv.
Mr.Ravi R.Goenka,Adv.
Mr. P.N. Puri,Adv.

For Respondent (s)

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

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Issue notice on the question whether the High Court could have passed the impugned orders for dismissal of the appeal itself,if the appellant did not comply with the order of deposit of the decretal amount.

It is submitted by learned counsel appearing for the petitioner that, at the highest, the High Court could have made the order of deposit a pre-condition to the operation of stay of the order appealed from but not the dismissal of the appeal itself.

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(Usha Bhardwaj)
P.S. to Registrar

(Madhu Saxena)
Court Master