$ITEM NO.1 COURT NO.2 SECTION XVII

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

I.A. NO.3 IN CIVIL APPEAL NO.5833 OF 2009

R.C.GUPTA & CO.P.LTD. Appellant (s)

VERSUS

SECURITIES & EXCHANGE BOARD OF INDIA Respondent(s)

(For recalling the court's order)

With Civil Appeal No.1742 of 2009
(with appln.(s) for stay and office report)

Date: 15/12/2009 These Matters were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE S.H. KAPADIA
HON'BLE MR. JUSTICE AFTAB ALAM

For Appellant(s) Mr. Soli J. Sorabjee,Sr.Adv.
In I.A.: Mr. Abhay Das,Adv.
Mr. Ambhoj Kumar Sinha,Adv.

In CA 1742/2009: Mr. C.A. Sundaram,Sr.Adv.
Ms. Nandini Gore,Adv.
Mr. Debmalya Banerjee,Adv.
Mr. Abhishek Roy,Adv.
Mr. D.P. Singh,Adv.
Mr. R.N. Karanjawala,Adv.
Ms. Manik Karanjawala,Adv.
for M/s. Karanjawala & Co.,Advs.

For Respondent(s) Mr. Pratap Venugopal,Adv.
Ms. Deepti,Adv.
for M/s. K.J. John & Co.,Advs.

...2/-

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

The order dated 11th September, 2009, is recalled.

The interlocutory application is allowed.

The appeals will now come up before the appropriate Bench.

[T.I. Rajput]
A.R.-cum-P.S.

[Madhu Saxena]
Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

I.A. NO.3 IN CIVIL APPEAL NO.5833 OF 2009

R.C. Gupta & Co. Pvt. Ltd. ...Appellant(s)

Versus

Securities & Exchange Board of India ...Respondent(s)

O R D E R

On 11th September, 2009, this Court [S.H. Kapadia and Aftab Alam,JJ.] dismissed Civil Appeal No.5833 of 2009. On that date, we were not shown order dated 2 nd April, 2009, of the conjoint Bench [Tarun Chatterjee and H.L. Dattu,JJ.] in Civil Appeal No.1742 of 2009 in which the following order was passed:

> "The appeal is admitted.
> Issue notice on the application for stay.
> Dasti, in addition, is permitted."

In order to maintain judicial discipline, we hereby recall our order dated 11th September, 2009, and direct that Civil Appeal No.5833 of 2009 be tagged with Civil Appeal No.1742 of 2009.

The appeals will now come up before the appropriate Bench.

The interlocutory application is, accordingly, allowed.

.....J.
[S.H. KAPADIA]

.....J.
[AFTAB ALAM]

New Delhi,
December 15, 2009.