

ITEM NO.1

COURT NO.1

SECTION XIIA

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 OF 2012 IN

Petition(s) for Special Leave to Appeal (Civil) No(s).16501/2012

(From the judgement and order dated 28/11/2011 in CMA No.160/2010, CMAMP No.1229/2011, CMAMP No.2150/2011 of The HIGH COURT OF A.P AT HYDERABAD)

M/S A.P. TECHNOLOGY SERVICES LTD

Petitioner(s)

VERSUS

M/S ZICOM ELECTRONIC SECURITY SYSTEMS

Respondent(s)

(With appln(s) for directions and prayer for interim relief and office report)

Date: 18/10/2012 This Petition was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR
HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s) Mr. G.N. Reddy, AOR
Mr. M. Rambabu, Adv.
Mr. S. Nagarajan, Adv.

For Respondent(s) Mr. Rana Mukherjee, Adv.
Ms. Daisy Hannah, Adv.
Mr. Shekhar Kumar, AOR

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

I.A. No.3 of 2012, has been filed in S.L.P.(C) No.16501 of 2012, which is directed against the final judgment and order dated 28th November, 2011, passed by the Andhra Pradesh High Court in CMAMP NO.2150 of 2011 in CMAMP NO.1229 of 2011 in CMA NO.160 of 2010.

The impugned order in the special leave petition permits the respondent to withdraw the amount, directed to be deposited by the petitioner, without furnishing any security. Aggrieved by such direction, the petitioner has come up before this Court and while issuing notice on 7th May, 2012, we had stayed that part of the judgment by which the respondent had been granted leave to withdraw the deposited amount without furnishing any security.

In this interlocutory application, the respondent has now agreed to provide security for withdrawal of the deposited amount. Having regard to the said offer made on behalf of the respondent, to which the petitioner can have no objection, we allow the interlocutory application and dispose of the special leave petition by modifying that part of the judgment of the High Court impugned in the special leave petition, whereby the respondent had been allowed to withdraw the amount without furnishing any security, and, instead we direct that, upon furnishing Bank Guarantee for the amount deposited, to the satisfaction of the Registrar General of the High Court, the respondent will be entitled to withdraw the amount, as deposited by the petitioner in terms of the order passed by the High Court.

The special leave petition, as well as the interlocutory application, are disposed of accordingly.

|(Chetan Kumar)
|Court Master

| |(Juginder Kaur)
| |Assistant Registrar

|