

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(s).7947/2005

(From the judgement and order dated 31/03/2005 in OSA No.59/2005 of
the HIGH COURT OF MADRAS)

TULSYAN NEC LIMITED

Petitioner(s)

VERSUS

THE CHAIRMAN, T.N.ELECTRICITY BOARD&ORS

Respondent(s)

(With prayer for interim relief and office report)

(FOR FINAL DISPOSAL)

Date: 08/09/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE DALVEER BHANDARI

For Petitioner(s)

Mr. A.K. Ganguli, Sr.Adv.

Mr. T. Harish Kumar,Adv.

For Respondent(s) Mr. V. Krishna Murthy,Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

The appeal is disposed of in terms of the signed order.

(A.S. BISHT)

(PUSHAP LATA BHARDWAJ)

COURT MASTER

COURT MASTER

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4212 OF 2006

(Arising out of SLP(C) No.7947/2005)

TULSYAN NEC LIMITED
APPELLANT(S)

.....

:VERSUS:

THE CHAIRMAN, TAMIL NADU ELECTRICITY BOARD &
RESPONDENT(S)

.....

ORS.

O R D E R

Leave granted.

By reason of the impugned order a Division Bench of the
Madras High

Court directed appellant herein to deposit a sum of Rs.1 crore within a per

iod of

four weeks from the date of the said order. It is accepted at the Bar that the said

direction has been complied with. It is also not in dispute that in terms of the

agreement entered into by and between the parties, due credit is given to the amount of electrical energy produced and supplied to the respondent Board by appellant and the respondent-Board charges for the excess electrical energy supplied to it.

...2/-

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As it is stated at the Bar that except for the period in question there is no other dispute between the parties, we are of the opinion that interest of justice would be subserved if the High Court is requested to hear out and dispose of the suit filed by the appellant herein as expeditiously as possible and preferably within a period of three months from the date of communication of this order. The parties hereto shall complete all the steps necessary for commencement of hearing of the suit, within six weeks from date. The impugned judgment and order of the High Court is modified to the aforementioned extent.

The appeal is disposed of on the above terms.

.....J

(S.B. SINHA)

.....J

(DALVEER BHANDARI)

NEW DELHI ,

SEPTEMBER 8 , 2006 .