

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

RECORD OF PROCEEDINGS

Contempt Petition (C) No.84/2005 in C.A. No.573/2005

SAJJAN TEXTILE MILLS LTD.

Petitioner(s)

VERSUS

K.V. KAMATH & ORS.

Respondent(s)

(With office report )

Date: 18/10/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA

HON'BLE MR. JUSTICE S.B. SINHA

For Petitioner(s)

Dr. Abhishek Manu Singhvi, Adv.

Mr. Ajit Kumar Sinha, Adv.

Mr. Anand Kumar, Adv.

For Respondent(s) Mr. T.R. Andhyarujina, Sr. Adv.

Nos.1 & 2

Mr. Naveen Chawla, Adv.

Mr. Shashank Kumar, Adv.

Ms. Manjula Gupta, Adv.

For Respondent No.3

Mr. Raju Ramachandran, Sr. Adv.

Mr. T. Mahipal, Adv.

UPON hearing counsel the Court made the following

O R D E R

Having heard parties for some time, in our view, it is more appropriate that the Contempt Petition be also heard along with the Civil Appeal No.573 of 2005. We direct accordingly.

We are told that a sum of Rs.2,50,99,999/- has already been paid by Respondent No.3 and that the same is lying deposited with DRT, Coimbatore. We allow ICICI Bank to withdraw Rs.1,24,37,329.00 on their filing an undertaking on affidavit, in this Court, that they shall bring back the amount in the event of the Appellant's succeeding in this Appeal. We also permit IDBI and Central Bank of India to withdraw the amounts payable to them, from the amounts lying deposited with DRT, Coimbatore provided they first file undertakings on affidavits before DRT, Coimbatore that they shall bring back the money in the event of the Appellant's succeeding in this Appeal.

(K.K. Chawla)

Court Master

(Jasbir Singh)

Court Master