

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

Petition(s) for Special Leave to Appeal (Civil)...../2006

CC 2009/2006

(From the judgement and order dated 05/08/2005 in APO No. 799/1992 of
The HIGH COURT OF CALCUTTA)

HILLMAN TEA & TRADING CO.LTD.

Petitioner(s)

VERSUS

RAFIULLA TEA IND. P.LTD. & ANR.

Respondent(s)

With I.A.1 (c/delay in filing SLP and office report)

Date: 20/03/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE ALTAMAS KABIR

For Petitioner(s)

Mr. Mukul Rohtgi, Sr. Adv.
Mr. Rana Mukherjee, Adv.
Mr. Siddharth Gautam, Adv.
Mr. Goodwill Indeevar, Adv.
Mr. Jishnw Saha, Adv.
Mr. Sushil K. Tekriwal, Adv.

For Respondent(s)

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

Mr. Mukul Rohtgi, learned Senior Counsel for the petitioner contends that the petitioner is really aggrieved by the clarificatory order, and submits that in normal course the Tea Estate should be handed over to the petitioner since it belongs to the petitioner. But it appears that the Official Liquidator is said to have taken possession of the Tea Estate from a person who claimed to represent Three Leaves (India) Pvt. Ltd. On this pretext, the Tea Estate is not being handed over to the petitioner. There is in fact no such entity known as Three Leaves (India) Pvt. Ltd.

Issue Notice to the respondents calling upon them to clarify inter alia as to whether there is such an entity as Three Leaves (India) Pvt. Ltd., and how and when the said Company came in possession of the Tea Estate concerned.

In the meantime, status quo be maintained.

(A.D. Sharma)
Court Master

(Vijay Dhawan)
Court Master