

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO(s). 5518-5519 OF 2013
THE STATE OF ASSAM & ORS.

Appellant(s)

VERSUS

M/S GUWAHATI CARBON LTD. & ANR. ETC.

Respondent(s)

O R D E R

The issue involved in these appeals is squarely covered by a judgment of this Court reported in State of Bihar and Others Vs. Universal Hydrocarbons Co. Ltd. and another 1994 Supp(3) SCC 621, as has been rightly relied upon by the High Court in the judgment under appeal.

In the circumstances, we do not see any reason to interfere with the judgment under appeal. The appeals are dismissed.

However, we are informed that pursuant to an interim order dated 4.10.2013, an amount of Rs. 2,52,20,840/- (Rupees Two Crores Fifty Two Lakhs Twenty Thousand Eight Hundred and Forty only) is lying in a fixed deposit account. In view of the dismissal of the appeals, the first respondent would be at liberty to withdraw the same along with the accrued interest on making an appropriate application to the Registry in this regard.

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If any further amounts are due under the order of the High Court to the first respondent, the first respondent would be at liberty to take appropriate steps for the recovery of the same.

â- |.....J.

(J. CHELAMESWAR)

â- |.....J.

(ABHAY MANOHAR SAPRE)

NEW DELHI

JANUARY 12, 2017

ITEM NO.108

COURT NO.3

SECTION III

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

RECORD OF PROCEEDINGS

Civil Appeal No(s). 5518-5519/2013

THE STATE OF ASSAM & ORS.

Appellant(s)

VERSUS

M/S GUWAHATI CARBON LTD. & ANR. ETC.

Respondent(s)

(with appln. (s) for permission to file additional documents and office report)

Date : 12/01/2017 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J. CHELAMESWAR

HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

For Appellant(s) Mr. Nalin Kohli, Sr. Standing Counsel

Mr. Ankit Roy, Adv.

Ms. Vishakha Ahuja, Adv.

Mr. Shuvodeep Roy, Adv.

For Respondent(s) Mr. B. Adinarayana Rao, Sr. Adv.

Ms. Aakriti Mathur, Adv.

Mr. Irshad Ahmad, Adv.

Mr. Durga Prasad Nanda, Adv.

Mr. Rohit Choudhry, Adv.

Ms. Preeti Kohli, Adv.

Mr. A. Samad, Adv.

Mr. Anurag Rawat, Adv.

Mr. Tariq Ahmed, Adv.

UPON hearing the counsel the Court made the following

O R D E R

The appeals are dismissed in terms of the signed order.

(DEEPAK MANSUKHANI) (SUMAN JAIN)

AR-cum-PS Court Master

(Signed order is placed on the file)