

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).12907-12908/2013

(From the judgement and order dated 12/12/2012 in WPC No.4586/2008
and WPC No.6646/2010 of The HIGH COURT OF GUWAHATI ,ASSAM)

THE STATE OF ASSAM & ORS.

Petitioner(s)

VERSUS

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

Respondent(s)

(With prayer for interim relief)

Date: 12/07/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Mr. P.P. Rao, Sr. Adv.
Mr. K.N. Choudhary, A.A.G.
Ms. Vartika Sahay, Adv. for
M/S Corporate Law Group

For Respondent(s) Mr. Harish N. Salve, Sr. Adv.
Mr. R.K. Gupta, Adv.
Mr. Abdus Samad, Adv.
Mr. S.K. Gupta, Adv.
Mr. M.K. Singh, Adv.
Mr. Shekhar Kumar, Adv.

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

Leave granted.

Hearing expedited.

Appeals to be listed for final hearing preferably within
one year from today.

The following interim order shall remain operative until
further orders :

(i) 50% of the refund amount pursuant to the impugned order
shall be kept separately in a separate account by the
appellants.

(ii) Remaining 50% of the refund amount shall be deposited by
the appellants with the Registry of this Court within two months
from today. The amount so deposited may be withdrawn by the
respondents on furnishing suitable bank guarantee with the
satisfaction of the Registrar (J-I) and also an undertaking that
in event of Appeals being allowed the amount so withdrawn shall
be restituted to the appellants along with 10% simple interest
from the date of withdrawal.

(iii) In the event of Appeals being dismissed, the appellants
shall pay to the respondents 50% of the amount which has been
kept in separate account along with 10% simple
interest from today.

In terms of the above order, operation of the impugned
order shall remain stayed.

