

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).8398-8399/2005

(From the judgement and order dated 19/12/2003&19/3/2004 in CW No. 85/2003 & RA No. 130/2004 & CWP No. 1138/2003 of The HIGH COURT OF DELHI AT N. DELHI)

SUPER BAZAR KARAMCHARI DALIT SANGH & ORS

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for c/delay in filing SLP, directions, intervention, impleadment of 70 employees of Super

Bazar co-operative store and office report)(For further directions)

WITH CONMT.PET.(C) NO. 104 of 2007 in SLP(C)No.8398-99/05

SLP(C) NO. 22640 of 2005

(With appln. for c/d in refiling SLP)

(With prayer for interim relief and office report)

Date: 12/07/2007 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For appearing parties:

Mr. Anoop G. Chaudhary, Sr. Adv.

Mrs. June Chaudhary, Adv.

Mr. Serva Mitter, Adv.

Mr. Amit Gupta, Adv.

Mrs. Santosh Gupta, Adv. for

M/S Mitter & Mitter Co.

For R.No.14

Dr. A.M. Singhvi, Sr. Adv.

Mr. Asutosh Lohis, Adv.

Mr. C.D. Singh, Adv.

Ms. Monika Garg, Adv.

Ms. Kavita Wadia, Adv.

Mr. R.K. Kapoor, Adv.

Mr. M.K. Verma, Adv.

Mr. Anis Ahmed Khan, Adv.

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For DPCC R.No.14

Mr. D.N. Goburdhan, Adv

Ms. Geeta Luthra, Adv.

Mr. Rajesh Ranjan, Adv.

Mr. V.B. Saharya, Adv. for

M/S. Saharya & Co.

Mr. P. Narasimhan, Adv.

Mr. Rakesh K. Khanna, Sr. Adv.

Dr. Rashmi Khanna, Adv.

Ms. Jhanvi Woraha, Adv.

Ms. Shafali Jain, Adv.

Mr. Surya Kant, Adv.

For DSIDC

Ms. Pinky Anand, Adv.

Mr. K.R. Sasiprabhu, Adv.

Mr. Ravindra Kumar, Adv.

Mr. A. Sharan, ASG.

Mr. SWA Qadri, Adv.

Mr. G. Prakash, Adv.

Mr. V.K. Verma, Adv.

For ICCS

Mr. Ranjit Kr. Sr. Adv.

Mr. Tanwar A., Adv.

Mr. Arvind Kumar Gupta, Adv.

Dr. Kailash Chand, Adv.

Dr. Sushil Balwada, Adv.

Ms. Jyoti Mendiratta, Adv.

Mr. Mohit Choudhary, Adv.

Mr. Manish Jain, Adv.

Ms. Puja Sharma, Adv.

UPON hearing counsel the Court made the following
ORDER

Vide orders passed by this Court on 28.2.2006, 5.5.2006 and
26.7.2006 the earlier Bench had tried to revive the retail business of the
society i.e. Super Bazar Multi State Cooperative Society in New Delhi.
Under the said

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orders at the relevant time this Court felt that it was possible to revive
the unit by allowing M/s. Indian Potash Ltd. and M/s. Indian Labour
Cooperative Society to take over the business of the Super Bazar Multi
State Cooperative Society. The suggestion from this Court was viable
at one point of time. The Unions were also agreeable. However, today
as the matter stands, the consortium of M/s. Indian Potash Ltd. and
M/s. Indian Labour Cooperative Society has fallen, therefore it has
become necessary to invite fresh bids. However, in earlier orders,
referred to above, this Court has laid down parameters on the basis of
which fresh bids could be invited. Those parameters will continue to
operate. Since the consortium has fallen we allow the funds deployed
by M/s. Indian Potash Ltd. to the extent of Rs.65 crores to be refunded
to the said Company i.e. M/s. Indian Potash Ltd. It may be clarified
that rupees sixty crores are lying deposited with the Supreme Court
Registry. That amount shall be returned to M/s. Indian Potash Ltd.
within three weeks from today. The balance amount of rupees five
crores has been deposited with the Official Liquidator/Central
Registrar. The said amount shall also be returned to the Indian Potash
Ltd. within three weeks.

Accordingly IA Nos. 37 and 38 of 2007 shall stand disposed of.

The Official Liquidator/Central Registrar shall now take
steps to invite fresh bids within four weeks from today. The
Committee appointed by the Supreme Court is at liberty to submit a
report to this Court, if so advised, with regard to the new bids which
are invited.

[SUMAN WADHWA]

COURT MASTER

[MADHU SAXENA]

COURT MASTER