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SLP(C)No. 8636 OF 2003
ITEM No.48

Court No. 3

SECTION IX
A/N MATTER

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) No.8636/2003

(From the judgement and order dated 01/04/2003 in AN 298/03
of The HIGH COURT OF JUDICATURE AT BOMBAY)

M/S. BROWN PAPER TECHNOLOGIES LTD.

Petitioner (s)

VERSUS

PORTUCEL EMPRESA P.D.P. & PAPEL, S.A.

Respondent (s)

(With prayer for interim relief)

Date : 15/03/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE BRIJESH KUMAR

For Petitioner (s)Ms. Puja Jain, Adv.
Ms. Shobha, Adv.

For Respondent (s)Ms. Nina Gupta, Adv.
Ms. Shipi Jha, Adv.
Ms. Pooja Bhatnagar, Adv.
Ms. Arpita Mahajan, Adv.
Ms. Bina Gupta, Adv.

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

Leave granted.

The appeal stands disposed of but with no order as to costs in terms of the signed order.
KALYANI

(RADHA R. BHATIA)

COURT MASTER

(SIGNED ORDER IS PLACED ON THE FILE.)

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2004
(ARISING OUT OF S.L.P. (C) NO.8636 OF 2004)

M/S BROWN PAPER TECHNOLOGIES LTD.

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APPELLANT (S)

VERSUS

PROTUCEL EMPRESA P.D.P. & PAPEL, S.A.

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RESPONDENT (S)

O R D E R

Leave granted.

The learned counsel for the parties have exchanged offers and counter offers for settlement. At the end and under instructions, they have arrived today at the following settlement according to which a total amount of US\$ 2,37,900 shall be paid by the appellant to the respondent as per the following schedule:-

Date of payment

Amount in US\$

20.03.2004

26,433/-

20.09.2004

26,433/-

20.12.2004

26,433/-

20.03.2005

26,433/-

20.06.2005

26,433/-

20.09.2005

26,433/-

20.12.2005

26,433/-

20.03.2006

26,433/-

20.06.2006

26,436/-

The operation of the impugned order of the High Court is suspended until 20th August, 2006. After the schedule of payment has been honoured, the order of the High Court shall stand set aside. In the event of default in payment of any one instalment as scheduled, the facility of payment by instalments allowed to the appellant shall stand set aside and the impugned order of the High Court shall become operational.

The appeal stands disposed of but with no order as to costs.

.....J

(R.C. LAHOTI)

.....J

(BRIJESH KUMAR)

NEW DELHI;

MARCH 15, 2004.