

SLP(C)No. 9342 OF 2003
ITEM No.55

Court No. 9

SECTION XIA
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.9342/2003

(From the judgement and order dated 18/01/2002 in WA 1220/2000
of The HIGH COURT OF KERALA AT ERNAKULAM)

SECRETARY, G.C.D.A.

Petitioner (s)

VERSUS

PRAKRITHI NIRMAN PVT. LTD. & ANR.

Respondent (s)

(With appln(s). for c/delay in filing SLP and office report)

Date : 03/11/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s)Mr. C.S. Vaidyanathan,Sr.Adv.
Mr. Sudarsh Menon,Adv.
Mr. A. Deb Kumar,Adv.
Mr. Bharat Sharma,Adv.

For Respondent (s)Mr. G.L. Sanghi,Sr.Adv.
Mr. T.V. Ratnam,Adv.
Ms. O.S.G. Prasuna,Adv.

Mr. Sudarsh Menon,Adv.

UPON hearing counsel the Court made the following

O R D E R

Mr. C.S. Vaidyanathan, learned senior counsel for the petitioner, submitted that the petitioner is entitled to forfeit the E.M.D. and ten per cent of the amount, if any, paid towards the cost of the land. Mr. G.L. Sanghi, learned senior counsel for Respondent No.1 submitted that in order to put an end to litigation, the respondent offers that Rupees twenty five lakhs out of the amount of ten per cent, referred to in paragraph 20 of the tender conditions, deposited by it could be retained by the petitioner and remaining amount may be refunded to it so that the matter could be resolved amicably.

The learned senior counsel for the petitioner seeks some time to get instructions from the petitioner in this regard.

List the petition on 10th November, 2003.

[T.I. Rajput][Shelly Sengupta]
Court Master Court Master