

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). 2326 OF 2006

HOUSING DEVT.FINANCE CORPN. LIMITED

Appellant (s)

VERSUS

D.G.OF INVESTIGATION & REGISTRATION.

Respondent(s)

(With appln(s) for condonation of delay in filing appeal and recalling the court's order and office report)

Date: 20/11/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE A.K. MATHUR

For Appellant(s)

Mr. Mukul Rohatgi, Sr. Adv.

Ms. Ritu Bhalla, Adv.

Ms. Sonali Jaitley, Adv.

for M/S Suresh A. Shroff & Co.,Adv.

For Respondent(s)

Mr. R. Mohan, ASG

Mr. Navin Prakash, Adv.

Mr. P. Parmeswaran,Adv.

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

The appeal is allowed in terms of the signed order.

(Ajay Kr. Jain)
(Vijay Dhawan)

Court Master
Court Master

C

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2326 OF 2006

Housing Development Finance Corporation
Appellant
Ltd.

.... Appellant

Versus

D.G. of Investigation & Registration
Respondent

.... Respondent

O R D E R

We have heard counsel for the parties.

Delay condoned.

We notice that the Monopolies & Restrictive Trade Practices Commission, New

Delhi (hereinafter for short the 'MRTP Commission) disposed of the main
petition in the

absence of the counsel for the appellant herein. In the review application it was explained
that the counsel who had been engaged by the appellant had sought discharge on the ground
that he was not getting instructions. Though two notices were issued to the appellant, none
of them was received by it and, therefore, the matter was heard and disposed of ex parte. The
review petition was dismissed by order dated 27.2.2006.

Having regard to the nature of issues involved, we feel that it will be in the

interest of justice if the MRTP Commission, New Delhi hears the appellant before disposing of the matter. In the facts and circumstances of the case, the impugned judgment and order of the MRTP Commission dated 13.12.2005 as well as the order dated 27.2.2006 dismissing

the review application are set aside and the matter remitted to the Commission to hear the

parties and dispose of the matter. We direct that the appellant as well as the respondent

shall appear before the MRTP Commission, New Delhi on 4th December, 2006 whereafter

the Commission shall give appropriate directions regarding the hearing of the matter. This

appeal is allowed in the above terms.

.....J.

(B.P. SINGH)

.....J.

(A.K. MATHUR)

New Delhi

November 20, 2006