

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR S.G. SHAH

Petition(s) for Special Leave to Appeal (Civil) No(s).5641/2006

(From the judgement and order dated 21/02/2006 in GA No. 3256/2005  
of The HIGH COURT OF CALCUTTA)

INDIAN EXPLOSIVES LTD. & ANR.

Petitioner(s)

VERSUS

COAL INDIA LTD. & ORS.  
(With prayer for interim relief )

Respondent(s)

WITH SLP(C) NO. 10789 of 2006  
(With prayer for interim relief and office report)  
SLP(C) NO. 6980 of 2006  
(With prayer for interim relief and office report)

Date: 10/01/2007 This Petition was called on for hearing today.

For Petitioner(s) Mr. Sanjay Kr. Gupta,Adv.  
Mr. Avijit Bhattacharjee,Adv.

Mr. Hiren Dasan,Adv.  
Mrs Sarla Chandra,Adv.

Mr. Shabyashachi Patra,Adv.  
M/S.Khaitan & Co. A.O.R.

For Respondent(s) Mr. Sunil Roy,Adv.

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

Learned counsel for the petitioners in some of the SLPs are present. Nobody is present for the respondents. It is disclosed that learned counsel for the respondents have served a copy of the counter affidavit to the advocates for the petitioners but they have failed to file the same on the record.

On granting of some more time to file counter affidavit to

the respondents learned counsel for the petitioners in SLP(C) No. 5641/2006 is objecting on granting such time and arguing that they

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are deliberately delaying the matter for filing counter affidavit which have not been filed in due course. To meet the end of justice, it is necessary to have such affidavit on record. Respondents are requesting for more time to file counter affidavit but petitioners are objecting it.

After passing such order learned counsel Mr. Sunil Ray turned up and states that he has filed counter affidavit. Since it is not found on record, Office is directed to find out the same and place it on record before such date. Learned counsel for the respondents are directed to place on record copy of the counter affidavit and acknowledgment receipt. It is stated by the learned counsel for the petitioners that they have filed an application for condonation of delay for filing counter affidavit but they have not disclosed the number of days in that. Learned counsel for the respondents are directed to clarify the exact days of delay in filing counter affidavit before next date.

There is an application for direction filed by the petitioners on 19.12.2006 respondents may file reply to that application before 23.2.2007.

Respondents in other SLPs may file reply/counter affidavit, if any, before 23.2.2007.

Fresh notice to unserved respondents by registered post A.D. in all the SLPs. Dasti service in addition is allowed.

List the matter on 23.2.2007.

(S.G.SHAH)

Registrar

