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C.A.No. 5178 OF 2002
ITEM No.35

Court No. 2

SECTION IV
A/N MATTER

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.5178/2002

H.P. COTTON TEXTILES MILLS LTD. & ANR.

Appellant (s)

VERSUS

STATE OF HARYANA AND ORS.

Respondent (s)

(prayer for interim relief) (With office report)(With Appln(s). for directions and discharge of Advocate-on-Record on behalf of Respondent No. 3)

With

C.A.No.5171/2002 (Prayer for interim relief) (With office report)
(With Appln.(s) for discharge of Advocate-on-Record) for Respondent No. 3)
With I.A. No. 3 (Appln. for Directions)

Date : 05/05/2004 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE ASHOK BHAN

For Appellant (s)Dr. A.M. Singhvi, Sr. Adv.
in CA 5178/2002Mr. Anil Agrawalla, Adv.
Mr. K.V. Vijayakumar,Adv.

Mr. K.V. Vishwanathan, Adv.
in CA 5171/2002Mr. K.V. Vijayakumar,Adv.

For Respondent (s)Mr. R.N. Trivedi, ASG
Mr. Neeraj Kumar Jain, Adv.
Mr. Aditya Kumar Chaudhary, Adv.
Mr. Bharat Singh, Adv.
Mr. Sanjay Singh, Adv.
Mr. Ugra Shankar Prasad, Adv.

Mr. Aditya Kr. Chaudhary, Adv.
Mr. Vinay Kumar Garg, Adv.

Mr. J.P. Dhanda,Adv.

In-Person

UPON hearing counsel the Court made the following

O R D E R

CA 5178/2002

The prayer for grant of interim relief is refused.

It is stated that the recovery is referable to the period 1987-1993 and the amount of arrears is around Rs.53 lakhs. The learned

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counsel for the appellant submits that there is some dispute as to the correct figure of arrears which shall have to be settled by the respondent subject to representation by the appellant

The learned counsel for the appellant submits that the appellant may be allowed liberty of making payment in installments. Allowed. Let the payment be made in five installments of Rs. 10 lakh each commencing 15th day of June, 2004 and thereafter on the 15th day of each succeeding month. The 6th installment shall consist of the balance amount subject to determination.

It is made clear that in the event of the appellant succeeding in this appeal, the amount shall be liable to be refunded with such interest and within such time as the Court may appoint at the time of final decision.

CA 5171/2002 and I.A. No. 3/2004

The prayer for grant of interim relief is refused.

It is stated that the recovery is referable to the period 1987-1993 and the amount of arrears is around Rs.35 lakhs.

The learned counsel for the appellant prays that the appellant may be allowed liberty of making payment in installments. Allowed. Let the payment be made in five installments of Rs. 6 lakh each commencing 15th day of June, 2004 and thereafter on the 15th day of each succeeding month. The 6th installment shall consist of the balance amount.

It is made clear that in the event of the appellant succeeding in this appeal, the amount shall be liable to be refunded with such interest and within such time as the Court may appoint at the time of final decision.

Until the dues have been cleared the appellant shall remain restrained from alienating any property except by the leave of the Court.

(Ajay Kr. Jain)

(Radha R. Bhatia)

Court Master

Court Master