

ITEM NO.37

COURT NO.2

SECTION XIV

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 (C) No(s). 15851/2012

(Arising out of impugned final judgment and order dated 16/12/2011 in LPA No. 633/2010 passed by the High Court Of Delhi At New Delhi)

IND.SWIFT LTD.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(with interim relief and office report)

Date : 22/01/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR
HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

For Petitioner(s) Mr. Nidesh Gupta, Sr. Adv.
Mr. Arvind Nayar, Adv.
Mr. P. Goklaney, Adv.
Mr. A. Venayagam Balan, Adv.

For Respondent(s) Mr. Maninder Singh, ASG
Ms. Sunita Sharma, Adv.
Mr. Mohan Prasad Gupta, Adv.
Mr. D.S. Mahra, Adv.
Ms. Sushma Suri, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Heard.

Mr. Nidesh Gupta, learned senior counsel appearing for the petitioner, submits that pursuant to the order passed by the High Court, the petitioner has already made a representation for limiting the operation of the blacklisting order to a specified period. He submits that although no decision has so far been taken by the competent authority on the said representation, the

petitioner is willing to make a fresh representation, if so permitted by this Court.

Mr. Maninder Singh, learned Additional Solicitor General, submits that according to his instructions no representation has been received from the petitioner but if any representation is indeed made, the same shall be considered in the light of the observations made by the High Court and the decision of this Court in M/s. Kulja Industries Limited v. Chief Gen. Manager W.T. Proj. BSNL & Ors. - AIR 2014 SC 9.

In the circumstances, we allow the petitioner to make a suitable representation in terms of the direction of the High Court within four weeks from today in which event the competent authority shall examine the same and pass a reasoned order keeping in view the observations made by us in M/s. Kulja Industries Ltd. (supra) as far as possible within a period of two months from the date the representation is received.

This special leave petition shall stand over for a period of four months.

(MAHABIR SINGH)
COURT MASTER

(VEENA KHERA)
COURT MASTER