

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). 6525 OF 2004

INDIAN OIL CORPORATION LTD. Appellant (s)

VERSUS

ALL INDIA TEA & TRADDING CO. & ORS. Respondent(s)

Date: 21/10/2010 This Appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE R.V. RAVEENDRAN  
HON'BLE MR. JUSTICE H.L. GOKHALE

For Appellant(s) Mr. H.K. Puri,Adv.

For Respondent(s) Mr. P.D. Sharma,Adv.  
M/S Corporate Law Group, Adv.

Mr. Rauf Rahim, Adv.  
Mr. Yadunandan Bansal, Adv.  
Mr. S. Betal, Adv.  
Mr. Faisal Farook, Adv.

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

Appeal is allowed in part in terms of the signed  
order.

( Ravi P. Verma ) ( M.S. Negi )  
Court Master Court Master  
[Signed order is placed on the file]  
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6525 OF 2004

INDIAN OIL CORPORATION LTD. ....APPELLANT

Versus

ALL INDIA TEA & TRADING CO. & .....RESPONDENTS  
ORS.

O R D E R

The appellant filed an appeal before the Guwahati  
High Court challenging the quantum of compensation awarded  
to the first respondent. In the said appeal, the High

Court on 4.4.2003 made an interim order staying the operation of the award subject to the appellant depositing a sum of Rupees sixty lakhs within two months, in addition to the sum of about Rupees thirty lakhs which was already received by the first respondent. The said order is challenged in this appeal by special leave.

2. On 19.5.2003, interim stay was granted by this Court while directing notice. It was ordered that the notice should indicate that the first respondent should either furnish security for the said sum of Rs. Sixty lakhs or accept only Rupees thirty lakhs without security.  
.....2.

- 2 -

3. On 25.8.2003, this Court directed the appellant to deposit Rupees thirty lakhs within two weeks with permission to the first respondent to withdraw the said amount without furnishing any security. The appellant informs that the said sum of Rupees thirty lakhs has already been deposited by the appellant and withdrawn by the first respondent.

4. On 31.10.2003, this Court further directed the appellant to deposit the remaining sum of Rupees thirty lakhs with the condition that the sum may be paid to the first respondent on furnishing a bank guarantee to the satisfaction of the High Court. It is stated that the appellant deposited the said sum also, but as the first respondent did not give security for the said sum of Rupees thirty lakhs, as per further order of this Court dated 22.7.2005, the said amount was refunded by the High Court to the appellant.

5. In view of the above, nothing survives in this

appeal. All that has to be done is to dispose of the appeal in terms of the interim orders already made. Accordingly, we allow the appeal in part and modify the interim order of the High Court by directing that the deposit to be made was .....3.

- 3 -

only Rs.30 lakhs and that was made by the appellant and withdrawn by the first respondent. Nothing more requires to be deposited.

6. As the matter relates to an acquisition of 1989 and the appeal itself has been pending before the High Court for about eight years, we request the High Court to dispose of the appeal expeditiously preferably within three months.

.....J.  
( R.V. RAVEENDRAN )

New Delhi;  
October 21, 2010.

.....J.  
( H.L. GOKHALE )