

ITEM No.101

Court No. 1

SECTION XVIA

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

Transferred Case (Civil) Nos. 92-95/2002

Mardia Chemicals Ltd. Etc. Etc.Petitioner (s)

VERSUS

U.O.I. & Ors. Etc. Etc.

Respondent (s)

with

WP(C) No. 140/2003 (M/s. Ashok Mfg. Co. Pvt. Ltd. & Ors. vs. Union of India & Anr.),

WP(C) No. 649/2002 (Majoor Mahajan Mandal & Ors. vs. Union of India (with office report)

WP(C) No. 673/2002 (Supreme Rubber Industries vs. Union of India & Anr.) (with office report)

TC(C) No. 10/2003 (Modern Terry Towels Ltd. & Ors. vs. State of Rajasthan & Ors.)

WP(C) No. 322/2003 (Sohanlal Rara vs. Union of India & Ors.) (with office report)

TC(C) No. 46/2003 (J.K. Udaipur Udyog Ltd. vs. U.O.I. & Anr.)

WP(C) No. 541/2002 (M/s. Amulet International Pvt. Ltd. & Ors. vs. Union of India & Anr.)

WP(C) No. 643/2002 (Shree Synthetics Ltd. & Anr. vs. Union of India & Ors.) (with office report)

TC (C)No. 12/2003 (Sobhag Textiles Ltd. vs. Union of India & Anr.)

WP(C) No. 48/2003 (M/s. REL Industries Ltd. vs. Union of India & Ors.) (with office report)

SLP(C) No. 5013/2003 (M/s. Oriental Motors & Anr. vs. Punjab & Sind Bank & Anr. (With prayer for interim relief and Office Report)

WP(C) No. 176/2003 (M/s. Mahendra Commercial Ltd. & Anr. vs. Union of India & Anr.) (with office report)

WP(C) No. 190/2003 (H.R. Brothers & Ors. vs. Union of India & Anr.)

WP(C) No. 219/2003 (M/s. Tirthankar Agro & Ors. vs. Union of India & Anr.) (with office report)

SLP(C) No.9658/2003 (Citisteel Corporation & Ors. vs. Union of India & Anr.) (With prayer for interim relief)

WP(C) No. 147/2003 (M/s. Punjab Breeders Ltd. vs. Union of India & Ors.) (with office report)

TP(C) No. 326/2003 (Bank of Rajasthan Ltd. vs. Naresh Kumar Nevatia & Ors.) (with office report)

WP(C) No. 279/2003 (Euro India Biotech Ltd. & Ors. vs. Union of India & Ors.) (with office report)

WP(C) No. 231/2003 (Pradeep Sohawala vs. Union of India & Ors.) (with office report)

SLP(C) 11089/2003 (M/s. Rudra Informatics & Ors. vs. Prudential Co-op. Bank Ltd. & Anr.) (With prayer for interim relief)

WP(C) No. 292/2003 (Patheja Brothers Forgings & Stampings & Anr. vs. U.O.I. & Anr.) (with office report)

SLP(C) 11267/2003 (M/s. Haji Abdul Hameed & Ors. vs. Central Bank of India & Ors.) (With prayer for interim relief)

SLP(C) 11268/2003 (M/s. Etawah Sales Corporation & Ors. vs. Central Bank of India & Ors.) (With prayer for interim relief)

TP(C) 403/2003 (Bank of Rajasthan vs. R.K. Garg & Sons (HUF))

WP(C) No. 379/2003 (M/s. Verma Cards & Posters Pvt. Ltd. & Ors. vs. Union of India & Anr.)

SLP(C) 15566/2003 (N.C. Jain vs. Bank of Baroda & Ors.) (With prayer for interim relief)

TC 11/2003 (Soni Tourism Pvt. Ltd. & Ors. vs. U.O.I. & Anr.)

Date: 27/08/2003 This/These matter(s) was/were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE BRIJESH KUMAR

HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner (s)

in TC 92-95Mr. Kapil Sibal, Sr. Adv.

Mr. Sunil Kumar Jain, Adv.

Mr. Manish Kumar, Adv.

Mr. Kamal Gupta, Adv.

Mr. S Borthakur, Adv.

Mr. Ansar Chaudhary, Adv.

Mr. P I Jose, Adv.

Mr. R Chaudhary, Adv.

in WP 140Ms. Radha Rangaswamy, Adv.

Ms. Ranjeeta Rohatgi, Adv.

in WP 649Mr. A S Nambiar, Sr. Adv.

Mr. P K Manohar, Adv.

in WP 673Mr. Ajay Choudhary, Adv.

in TC 10Mr. Ashok H Desai, Sr. Adv.

Mr. Paras Kuhad, Adv.

Mr. R N Karanjawala, Adv.

Mr. Gopal Jain, Adv.

Ms. Nandini Gore, Adv.

Mr. Gaurav Khanna, Adv.

Mr. Arunabh Choudhury, Adv.

Mr. Hrishikesh Baruah, Adv.
Ms. Manik Karanjawala, Adv.

in WP 322Mr. Shakeel Ahmed, Adv.

in TC 46Mr. A T Patra, Adv.
Mr. Nipun Malhotra, Adv.
for M/s. O P Khaitan & Co., Adv.

in WP 541Ms. Radha Rangaswamy, Adv.
Ms. Ranjeeta Rohatgi, Adv.
Mr. B Dev Shekhar, Adv.

in WP 643Mr. Gaurab Banerji, Adv.
Mr. Siddharth Bhatnagar, Adv.
Mr. Nirnimesh Dube, Adv.
Ms. Sonal Tripathi, Adv.
Ms. Indra Sawhney, Adv.

in TC 12Mr. V Sudeer, Adv.
Mr. M B Suba Raju, Adv.
Mr. S Srinivasan, Adv.
Ms. S Sunita, Adv.

in WP 48Ms. Kirti Renu Mishra, Adv.

in SLP 5013Mr. R C Kohli, Adv.

in WP 176 & 190Mr. Vishwajit Singh, Adv.

in WP 219Mr. P D Sharma, Adv.

in SLP 9658Ms. Sumita Hazarika, Adv.

in WP 147Mr. Manoj Swarup, Adv.

in TP 326Mr. Paras Kuhad, Adv.
Ms. Suruchii Aggarwal, Adv.
Ms. Ritika Pal, Adv.

in WP 279Mr. P N Puri, Adv.

in WP 231Mr. S Balaji, Adv.
Mr. V Sudeer, Adv.
Mr. M B Suba Raju, Adv.
Mr. S Sunita, Adv.
Mr. S Srinivasan, Adv.

in SLP 11089Mr. Y Raja Gopala Rao, Adv.

in WP 292Mr. Mahesh Agarwal, Adv.
Mr. E C Agrawala, Adv.

in SLP 11267 & 11268Mr. M J S Rupal, Adv.
Mr. Madhup Singhal, Adv.
for M/s. Gagrath & Co., Adv.

in TP 403Mr. Paras Kuhad, Adv.
Ms. Suruchii Aggarwal, Adv.
Ms. Ritika Pal, Adv.

in WP 379Mr. Gaurab Banerji, Adv.
Mr. Siddharth Bhatnagar, Adv.
Mr. Nirnimesh Dube, Adv.
Ms. Sonal Tripathi, Adv.
Ms. Indra Sawhney, Adv.

in SLP 15566Mr. Jitendra Mohan Sharma, Adv.

in TC 11Mr. Manoj Swarup, Adv.

Ms. Lalita Kohli, Adv.

Mr. Ambhar Kumar, Adv.

for M/s. Manoj Swarup & Co., Adv.

Mr. Ashok Kumar Gupta, Adv. (NP)

For Respondent (s)

Union of IndiaMr. Mukul Rohtagi, ASG

Ms. V Mohana, Adv.

Mr. Saurabh Kirpal, Adv.

Ms. Sushma Suri, Adv.

in TC 92-95

L.I.C.Mr. T R Andhyarujina, Sr. Adv.

I.C.I.C.I.Mr. Harish N Salve, Sr. Adv.

Ms. P S Shroff, Adv.

Mr. S H Bhujani, Adv.

Mr. Sunil Dogra, Adv.

Ms. Sayali Phatak, Adv.

Ms. Rashi Malhotra, Adv.

Ms. Ruchi A Mahajan, Adv.

for M/s. Suresh A Shroff & co., Adv.

I.D.B.I.Dr. A M Singhvi, Sr. Adv.

Mr. Vikram B Trivedi, Adv.

Mr. Bharat Sangal, Adv.

Ms. Sangeeta S Panicker, Adv.

Mr. R R Kumar, Adv.

Mr. Pranab Kumar Mullick, Adv.

in WP 140Mr. Rajeev Sharma, Adv.

in WP 673Mr. Rameshwar Prasad Goyal, Adv.

in TC 10Ms. P S Shroff, Adv.

Mr. S H Bhujani, Adv.

Mr. Sunil Dogra, Adv.

Ms. Sayali Phatak, Adv.

Ms. Rashi Malhotra, Adv.

Ms. Ruchi A Mahajan, Adv.

for M/s. Suresh A Shroff & co., Adv.

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in WP 541Mr. N S Sistani, Sr. Adv.
Mr. G S Sistani, Adv.
Mr. Rajender Wali, Adv.
Mr. Rakesh Singh, Adv.
Mr. Arun K Sinha, Adv.

in WP 643Mr. O P Gaggar, Adv.

Mr. Dhruv Mehta, Adv.
Mr. Mohit Chaudhary, Adv.
Ms. Shalini Gupta, Adv.
for M/s. K L Mehta & Co., Adv.

in TC 12Mr. Pramod B Agarwala, Adv.

in WP 48Mr. Dhruv Mehta, Adv.
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in WP 176 & 190Mr. Sanjay R Hegde, Adv.
Mr. P S Shetty, Adv.
Mr. Anil K Misra, Adv.

in SLP 9658Mr. Janendra Lal, Adv.
Ms. Yasmine Tarapore, Adv.
Ms. Divya Lal, Adv.
for M/s. Janendra Lal & Co., Adv.

in WP 147Mr. N S Sistani, Sr. Adv.
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in TP 326Mr. V Ramasubramanian, Adv

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Ms. Sayali Phatak, Adv.
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Ms. Ruchi A Mahajan, Adv.
for M/s. Suresh A Shroff & co., Adv.

in SLP 11267 & 11268Ms. S Janani, Adv.
Ms. Reena Kumar, Adv.

in TP 403for M/s. Lawyer's Knit & Co., Adv.(N.P.)

In SLP 15566Mr. Arun Aggarwal, Adv.
(for Bank of Baroda)

in TC 11Mr. Sanjay Kapur, Adv.
Ms. Shubhra Kapur, Adv.
Mr. Rajiv Kapur, Adv.

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

Issue notice to the learned Attorney General.

Mr. Kapil Sibal, learned senior counsel started his arguments at 10.30 A.M. and was on his legs when the Court took up mentioning matters for hearing.

The matters remained part-heard.

Sushma (D.P. WALIA)
COURT MASTER

(SURAJ PARKASH)
COURT MASTER

ITEM No.101(Part Heard)

Court No. 1

SECTION XVIA

S U P R E M E C O U R T O F I N D I A
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Transferred Case (Civil) Nos. 92-95/2002

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VERSUS

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(with appln.(s) for stay)

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WP(C) No. 643/2002 (Shree Synthetics Ltd. & Anr. vs. Union of India & Ors.) (with appln.(s) for ex-parte stay and with office report)

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SLP(C) No.9658/2003 (Citisteel Corporation & Ors. vs. Union of India & Anr.) (with appln.(s) for permission to submit addl. documents and with prayer for interim relief)

WP(C) No. 147/2003 (M/s. Punjab Breeders Ltd. vs. Union of India & Ors.) (with appln.(s) for stay and with office report)

TP(C) No. 326/2003 (Bank of Rajasthan Ltd. vs. Naresh Kumar Nevatia & Ors.) (with appln.(s) for stay and with office report)

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Bank Ltd. & Anr.) (With prayer for interim relief)

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TC 11/2003 (Soni Tourism Pvt. Ltd. & Ors. vs. U.O.I. & Anr.)

Date: 28/08/2003 This/These matter(s) was/were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE BRIJESH KUMAR

HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner (s)

in TC 92-95Mr. Kapil Sibal, Sr. Adv.

Mr. Sunil Kumar Jain, Adv.

Mr. Manish Kumar, Adv.

Mr. Kamal Gupta, Adv.

Mr. S Borthakur, Adv.

Mr. Ansar Chaudhary, Adv.

Mr. P I Jose, Adv.

Mr. R Chaudhary, Adv.

in WP 140Ms. Radha Rangaswamy, Adv.

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in WP 649Mr. A S Nambiar, Sr. Adv.

Mr. P K Manohar, Adv.

in WP 673Mr. Ajay Choudhary, Adv.

in TC 10Mr. Ashok H Desai, Sr. Adv.

Mr. R F Nariman, Sr. Adv.

Mr. Paras Kuhad, Adv.

Mr. Gopal Jain, Adv.

Ms. Padmalakshmi Nigam, Adv.

Mr. Vikram Mehta, Adv.

Ms. Nandini Gore, Adv.

Mr. Gaurav Khanna, Adv.

Mr. Arunabh Chowdhury, Adv.
Mr. Hrishikesh Baruah, Adv.
Mr. Tarun Dua, Adv.
Mr. R N Karanjawala, Adv.
Ms. Manik Karanjawala, Adv.

in WP 322Mr. Shakeel Ahmed, Adv.

in TC 46Mr. A T Patra, Adv.
Mr. Nipun Malhotra, Adv.
for M/s. O P Khaitan & Co., Advs.

in WP 541Ms. Radha Rangaswamy, Adv.
Ms. Ranjeeta Rohatgi, Adv.
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in WP 643Mr. Gaurab Banerji, Adv.
Mr. Siddharth Bhatnagar, Adv.
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in TC 12Mr. V Sudeer, Adv.
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Mr. S Srinivasan, Adv.
Ms. S Sunita, Adv.

in WP 48Ms. Kirti Renu Mishra, Adv.

in SLP 5013Mr. R C Kohli, Adv.

in WP 176 & 190Mr. Tripurari Ray, Adv.
Mr. Vishwajit Singh, Adv.
Mr. Ritesh Agrawal, Adv.

in WP 219Mr. P D Sharma, Adv.

in SLP 9658Ms. Sumita Hazarika, Adv.

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in WP 279Mr. P N Puri, Adv.

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in SLP 11089Mr. Y Raja Gopala Rao, Adv.

in WP 292Mr. Mahesh Agarwal, Adv.
Mr. Mannu Krishnan, Adv.
Mr. Rishi Agarwal, Adv.
Mr. E C Agrawala, Adv.

in SLP 11267 & 11268Mr. M J S Rupal, Adv.
Mr. Madhup Singhal, Adv.
for M/s. Gagrath & Co., Advs.

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in SLP 15566Mr. Jitendra Mohan Sharma, Adv.

in TC 11Mr. Manoj Swarup, Adv.
Ms. Lalita Kohli, Adv.
Mr. Ambhar Kumar, Adv.
for M/s. Manoj Swarup & Co., Adv.
Mr. Ashok Kumar Gupta, Adv. (NP)

For Respondent (s)

Mr. Soli J Sorabjee, Attorney General
Mr. Manish Singhvi, Adv.
Mr. Rajiv Sakhdar, Adv.
Ms. Sushma Suri, Adv.

Union of IndiaMr. Mukul Rohtagi, ASG
Ms. V Mohana, Adv.
Mr. Saurabh Kirpal, Adv.
Ms. Sushma Suri, Adv.

in TC 92-95

L.I.C.Mr. T R Andhyarujina, Sr. Adv.
I.C.I.C.I.Mr. Harish N Salve, Sr. Adv.
Ms. P S Shroff, Adv.
Mr. S H Bhujani, Adv.
Mr. Sunil Dogra, Adv.
Ms. Sayali Phatak, Adv.
Ms. Rashi Malhotra, Adv.
Ms. Ruchi A Mahajan, Adv.
for M/s. Suresh A Shroff & co., Adv.

I.D.B.I.Dr. A M Singhvi, Sr. Adv.

Mr. Vikram B Trivedi, Adv.
Mr. Bharat Sangal, Adv.
Ms. Sangeeta S Panicker, Adv.
Mr. R R Kumar, Adv.

Mr. Pranab Kumar Mullick, Adv.

in WP 140Mr. Rajeev Sharma, Adv.

in WP 673Mr. Rameshwar Prasad Goyal, Adv.

in TC 10Ms. P S Shroff, Adv.

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Ms. Sayali Phatak, Adv.
Ms. Rashi Malhotra, Adv.
Ms. Ruchi A Mahajan, Adv.
for M/s. Suresh A Shroff & co., Adv.

Ms. Sandhya Goswami, Adv.

in WP 322Ms. P S Shroff, Adv.

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Mr. Sunil Dogra, Adv.
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Ms. Ruchi A Mahajan, Adv.
for M/s. Suresh A Shroff & co., Adv.

Mr. Sunil Kumar Jain, Adv.

in TC 46Ms. P S Shroff, Adv.

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Ms. Rashi Malhotra, Adv.
Ms. Ruchi A Mahajan, Adv.
for M/s. Suresh A Shroff & co., Adv.

in WP 541Mr. N S Sistani, Sr. Adv.
Mr. G S Sistani, Adv.
Mr. Rajender Wali, Adv.
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in WP 643Mr. O P Gaggar, Adv.

Mr. Dhruv Mehta, Adv.
Mr. Mohit Chaudhary, Adv.
Ms. Shalini Gupta, Adv.
for M/s. K L Mehta & Co., Adv.

in TC 12Mr. Pramod B Agarwala, Adv.

in WP 48Mr. Dhruv Mehta, Adv.
Mr. Mohit Chaudhary, Adv.
Ms. Shalini Gupta, Adv.
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in WP 176 & 190Mr. Sanjay R Hegde, Adv.
Mr. P S Shetty, Adv.
Mr. Anil K Misra, Adv.

in SLP 9658Mr. Janendra Lal, Adv.
Ms. Yasmine Tarapore, Adv.
Ms. Divya Lal, Adv.
for M/s. Janendra Lal & Co., Adv.

in WP 147Mr. N S Sistani, Sr. Adv.
Mr. G S Sistani, Adv.
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Ms. Ruchi A Mahajan, Adv.
for M/s. Suresh A Shroff & co., Adv.

in SLP 11267 & 11268Ms. S Janani, Adv.
Ms. Reena Kumar, Adv.

in TP 403for M/s. Lawyer's Knit & Co., Adv.(N.P.)

In SLP 15566Mr. Arun Aggarwal, Adv.
(for Bank of Baroda)

in TC 11Mr. Sanjay Kapur, Adv.
Ms. Shubhra Kapur, Adv.
Mr. Rajiv Kapur, Adv.

For Indian Banks Assn.Mr. Krishnan Venugopal, Adv.
Ms. Arpita Mahajan, Adv.
Ms. Nina Gupta, Adv.
Mr. Sukhjinder Singh, Adv.
Ms. Bina Gupta, Adv.

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

Heard the learned Attorney General and other learned counsel for the parties from 10.30 A.M. to 12.30 P.M.

Adjourned. List on 15th September, 2003.

(ALKA DUDEJA)(D.P. WALIA)
COURT MASTER COURT MASTER

(SURAJ PARKASH)
COURT MASTER