

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

Petition(s) for Special Leave to Appeal (Civil) No.10877-10878/2003

(From the judgement and order dated 03/06/2003 in MA 1/02
and MA 2/02 arising from Case No. 7/2000 of The HIGH COURT OF BOMBAY)

B.S.E.S. LTD.

Petitioner (s)

VERSUS

TATA POWER CO. LTD. & ORS.

Respondent (s)

(With Appln(s). for exemption from filing c/c of the impugned Judgment
and permission to submit additional document(s))
(With prayer for interim relief)

WITH

SLP(C) No. 11461-11462/2003

(With appln.(s) for exemption from filing C/C of the impugned judgment
and with prayer for interim relief)

Date : 11/07/2003 These Petitions were called on for hearing today.

CORAM :

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

For Petitioner (s)Mr. Kapil Sibal, Sr., Adv.
in SLP(C)10877-10878/03Mr. J.J.Bhat, Sr. adv.

Mr. Tushad Cooper, Adv.

Mr. D.J. Kakalia, Adv.

Mr. Syed Naqvi, Adv.

Mr. Birender Chaudhary, Adv.

Ms. A.B.L. Khatri, Adv.

in SLP(C) 11461-11462/03Mr. F. S. Nariman, sr. Adv.

Mr. Iqbal Chagla, Sr. adv.

Mr. Daraus Khambata, Adv.

Mr. Shrikant Doijode, Adv.

Ms. Nandini Gore, Adv.

Mr. R.N. Karanjawala, Adv.

Ms. Ruby Singh Ahuja, Adv.

Ms. Meghna Misra, Adv.

Mrs Manik Karanjawala,Adv.

For Respondent (s)Mr. P. Chidambaram, Sr. Adv.

in SLP(C) No. 10877-10878/03 Mr. R.F. Nariman, sr. Adv.

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Mr. Shrikant Doijode, Adv.

Ms. Nandini Gore, Adv.

Mr. R.N. Karanjawala, Adv.

Ms. Ruby Singh Ahuja, Adv.

Ms. Meghna Misra, Adv.

Mrs Manik Karanjawala,Adv.

Mr. Tushad Cooper, Adv.
Mr. D.J. Kakalia, Adv.
Mr. Syed Naqvi, Adv.
Mr. Birender Chaudhary, Adv.
Ms. A.B.L. Khatri, Adv.

For MSEB Mr. Altaf Ahmad, ASG
Mr. Shyam Divan, Adv.
Mr. Ajay Khatlawala, Adv.
Ms. Ramni Taneja, Adv.
Ms. Aplana Dhake, Adv.
Mr. Mukesh Tyagi, Adv.
Mr. Rajiv Nanda, adv.

UPON hearing counsel the Court made the following

O R D E R

All the parties are present.

Let the matter come up for hearing in the second week of August, 2003 on a non-miscellaneous day.

In the meantime, it is directed that so far as the arrears for the period upto 30th June, 2003 are concerned, let the payment be made to MSEB in proportion of 20% by TPC and 20% by BSES Ltd. For the month of July, 2003 by way of an adhoc arrangement BSES Ltd. shall pay Rs. 16.5 crores to MSEB routing the payment through TPC.

(Ajay Kr. Jain)
(H.K. Bhatia)

Court Master
Court Master