

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(s).8538/2006

(From the judgement and order dated 17/03/2006 in WA No. 103/2006 of The HIGH COURT OF KERALA AT ERNAKULAM)

INDIAN RAILWAY CATERING & TOURISM CORP.

Petitioner(s)

VERSUS

M/S. CKK CATERING SERVICES

Respondent(s)

(With appln(s) for permission to place addl. documents on record and prayer for interim relief and office report)

Date: 09/01/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Petitioner(s)

Mr. Gourab Banerji, Sr. Adv.

Mr. Saurav Agarwal, Adv.

Mr. A. Krishnan, Adv. for

Ms. Ruby Singh Ahuja, Adv.

For Respondent(s)

Mr. L.N. Rao, Sr. Adv.

Mr. Haresh Beeran, Adv. for

Mr. Radha Shyam Jena, Adv.

UPON hearing counsel the Court made the following

O R D E R

We agree with the view taken by the High Court. The special leave petition is dismissed accordingly. The amount deposited by the Railways with the Registrar of this Court be paid to the respondent along with interest, if any, accrued thereon. It is made clear that we have agreed with the High Court primarily on the ground that there is no clause for confiscation of security amount till the licence is granted to the respondent. However, the petitioner would be at liberty to pursue its remedy to claim damages, if any, in accordance with law.

(J.S. Rawat)

AR-cum-PS

(Kanwal Singh)

Court Master