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SLP(C)No. 15504-15505 OF 2000
ITEM No.3 Court No.10 SECTION XIV

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

I.A. Nos.9-10 in
Petition(s) for Special Leave to Appeal (Civil) No.15504-15505/2000

HINDUSTAN AERONAUTICS LTD. Petitioner (s)

VERSUS

JAGSON INTERNATIONAL LTD. Respondent (s)

(For modification of court's order dt. 1.10.2001)

With I.A. Nos.11-12 (Appln. for modification of Ct. Order dt.22-1-2001)

Date : 21/01/2002 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE U.C. BANERJEE
HON'BLE MR. JUSTICE Y.K. SABHARWAL

For Petitioner (s) Mr. Mukul Rohatagi, ASG,
Mr. Sanjay Grover, Adv.,
Mr. Rajesh Kumar,Adv.
Mr. Gopala Krishnan, Adv.

For Respondent (s) Mr. D.D. Thakur, Sr. Adv.,
Mr. T.V. Ratnam,Adv.
Mr. K. Subba Rao, Adv.

UPON hearing counsel the Court made the following
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Upon hearing the submissions made on behalf of the parties, we deem it fit to dispose of this application with a direction that Jagson International Limited shall further pay a sum of Rs.50 lakhs within a period of eight weeks from the date hereof. The payment of Rs.50 lakhs, however, shall be without prejudice to the rights and contentions of both the parties. The amount, if any, as claimed by the
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Hindustan Aeronautics Limited, shall be the subject matter of the decision before the High Court in terms of the earlier order of this Court. In the event, M/s.Jagson International Limited is desirous of obtaining the aircraft which is otherwise air-worthy as per the certification of D.G.C.A., with promptitude, Jagson can have the same only upon payment of the afore-said sum of Rs.50 lakhs as noted

hereinbefore in this order. In the event, however, Jagson finds it difficult to make the payment immediately, the latter may upon furnishing of a personal bond of the Managing Director of the Jagson International Limited for the time being expressly recording therein that the payment of Rs.50 lakhs would be effected within the period of eight weeks and thereafter obtain the delivery. We,accordingly, direct that either the payment of Rs.50 lakhs or the personal bond shall be furnished of the Managing Director of the Jagson International Limited within a period of eight weeks to obtain the aircraft.

The High Court will do well to deal with the matter with utmost expedition. Parties would be at liberty to mention the matter before the Hon'ble Chief Justice for expeditious disposal of the matter. I.A Nos. 9-10 are dismissed as withdrawn. Leave is given to file the second application which is on Board today and stands disposed of as above.

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(R.K. Dhawan)
Court Master

(D.D.qindal)
Assistant Registrar