

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).18925/2013

(From the judgement and order dated 20/11/2012 in WA No.462/2011 of The HIGH COURT OF MADRAS)

TAMIL NADU GENERATION & DIST. CORP. LTD. Petitioner(s)

VERSUS

M/S NORTAN ELECTRICALS (P) LTD. & ANR. Respondent(s)

(With prayer for interim relief and office report)

WITH S.L.P.(C)...CC NO. 10884 of 2013
With IA 1 (c/delay in filing SLP and office report)

Date: 05/08/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE MADAN B. LOKUR

For Petitioner(s) Mr. B.Balaji,Adv.

For Respondent(s) Mr. K. Swami, Adv.
Mr. Nikhil Swami, Adv.
Mrs. Prabha Swami,Adv.

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

At the outset, Mr. B. Balaji, learned counsel for the petitioner, submits that petitioner is not desirous of challenging the constitutional validity of the Micro, Small and Medium Enterprises Development Act, 2006 (for short, '2006 Act') and, in view thereof, Union of India has not been impleaded as party respondent.

We accept the statement.

In view of above, the challenge to 2006 Act does not survive.

Delay condoned.

Issue notice.

Mrs. Prabha Swami, advocate, waives service for respondent No.1 - M/s Norton Electricals (P) Ltd. in S.L.P. (C) No 18925 of 2013 and respondent No. 1 - M/s. S.P.T. Marketing Services Ltd. in S.L.P. (C) No...CC No. 10884 of 2013.

Notice shall be sent to unrepresented respondent No. 2 only.

Dasti, in addition to ordinary process, is permitted.

In the meanwhile, subject to deposit of 50% of the amount as per the Awards dated 22.2.2010 in S.L.P. (C) No. 18925 of 2013 and dated 8.3.2010 in S.L.P. (C) No...CC No. 10884 of 2013 by the petitioner with the Registry of this Court within six weeks from today, the recovery of remaining amount shall remain stayed.

Upon deposit of the aforesaid amount, it will be open to respondent No.1 - M/s Norton Electricals (P) Ltd. in S.L.P. (C) No 18925 of 2013 and respondent No. 1 - M/s. S.P.T. Marketing Services

Ltd. in S.L.P. (C) No...CC No. 10884 of 2013 - to withdraw the same on furnishing bank guarantee to the satisfaction of the Registrar (J-II).

In case the bank guarantee is not furnished within four weeks of intimation of deposit, Registry shall invest the said amount in a fixed deposit initially for a period of six months to be renewed thereafter for the same period until further orders.

Connect with S.L.P. (Civil) No. 37551 of 2012 - J.K. Tyre & Industries Ltd. Vs. Micro & Small Enterprises Facilitation Council and Another.

|(Pardeep Kumar)
|Court Master

| |(Renu Diwan)
| |Court Master

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