

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(s). 611-612 OF 2005

MOTOROLA INC.

... APPELLANT(S)

VERSUS

IRIDIUM INDIA TELECOM LTD. & ANR. etc...RESPONDENT(S)

O R D E R

Heard Mr. Ashok H. Desai, learned senior counsel for the appellant and Mr. Mukul Rohatgi, learned Attorney General for India for the first respondent.

Learned Attorney General for India has submitted that the parties have filed consent terms in Suit No. 3092 of 2002 and Criminal Application No. 149 of 2015 before the High Court of Judicature at Bombay.

Further, learned senior counsel for the parties would submit that in view of the aforesaid terms between the parties, the appellant does not want to pursue the matter and seeks leave of this Court to withdraw these appeals. Permission as sought for by the learned senior counsel on behalf of the appellant to withdraw these appeals is granted.

The appeals are dismissed as withdrawn. However, we make it clear that the terms and conditions agreed between the parties herein either in relation to civil or criminal proceedings have to be examined by the

High Court of Judicature at Bombay keeping in view law on the relevant aspects and pass appropriate orders. We have not expressed any opinion on the same, it is for the Civil Court and Criminal Court to examine the terms and conditions of the consent terms at the time of passing orders in the pending proceedings before them.

The Intervention Applications are unnecessary and are dismissed as such with liberty to the intervenor(s) to work out their remedy against the appellant, if any, in accordance with law. Rest of the Interlocutory Applications are also dismissed as withdrawn.

.....J.
(V. GOPALA GOWDA)

.....J.
(C. NAGAPPAN)

NEW DELHI,
FEBRUARY 26, 2015

ITEM NO.5

COURT NO.11

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 611-612/2005

MOTOROLA INC.

Appellant(s)

VERSUS

IRIDIUM INDIA TELECOM LTD. & ORS.

Respondent(s)

(With appln.(s) for amendment of appeal and intervention and permission to file additional documents and revocation of leave)

Date : 26/02/2015 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. GOPALA GOWDA

HON'BLE MR. JUSTICE C. NAGAPPAN

For Appellant(s)

Mr. Ashok H. Desai, Sr. Adv.
Mr. Jai Munim, Adv.
Mr. Pratap Venugopal, Adv.
Ms. Niharika, Adv.
Mr. Gaurav Nair, Adv.
M/s. K. J. John & Co., Adv.

For Respondent(s)

Mr. Mukul Rohatgi, A.G.
Mr. Venkatesh Dhond, Sr. Adv.
Mr. Gaurav Shah, Adv.
Mr. Mahesh Agarwal, Adv.
Mr. E. C. Agrawala, Adv.
Ms. Radhika Gautam, Adv.

Mr. Sanjay Bhatt, Adv.
Mr. Rajeev K. Pandey, Adv.
Mr. Rabin Majumder, Adv.

Mr. Gopal Jain, Sr. Adv.
Mr. Vaibhav Choudhary, Adv.
Mr. Ranjit B. Raut, Adv.
Ms. Bina Gupta, Adv.

For Intervenor
(SBI)

Mr. Tavinder Sidhu, Adv.
Mr. Sumit Gupta, Adv.
Ms. Gunjan S. Jain, Adv.
For M/s. M. V. Kini & Associates, Adv.

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

Heard Mr. Ashok H. Desai, learned senior counsel for the appellant and Mr. Mukul Rohatgi, learned Attorney General for India for the first respondent.

The appeals are dismissed as withdrawn in terms of the signed order. The Intervention Applications are unnecessary and are dismissed as such with liberty to the intervenor(s) to work out their remedy against the appellant, if any, in accordance with law. Rest of the Interlocutory Applications are also dismissed as withdrawn.

(S. K. RAKHEJA)
COURT MASTER

(MALA KUMARI SHARMA)
COURT MASTER

(Signed order is placed on the file)