

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).15658/2005

(From the judgement and order dated 17/05/2005 in APOT No. 358/2004 of
The HIGH COURT OF CALCUTTA)

TONGANAGAON TEA CO.PVT.LTD.

Petitioner(s)

VERSUS

MAGMA LEASING LTD. & ORS.

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment and prayer
for interim relief

and office report))

Date: 12/08/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner(s)

Mr. U.U.Lalit, Sr. Adv.

Mr. S.Bhatnagar, Adv.

Ms.Swati Grover, Adv.

Ms. Sonia Dube, Adv.

Mr. C.D. Singh,Adv.

For Respondent(s)

Dr. A.M.Singhvi, Sr. Adv.

Mr.Srenik Singhvi, Adv.

Mr. Amit Mishra, Adv.

Mr. Rajiv Mehta,Adv.

UPON hearing counsel the Court made the following

O R D E R

Issue notice.

There shall be interim stay of the High Court's order.

As an interim measure, without prejudice to the claims involved
, let the
petitioner pay to respondent no. 1 Rs. 40,00,000/- (Rupees Forty Lakhs only)
by the
end of August, 2005. There shall not be encumbrances created either on t
he plant
and machinery or on the shares as detailed in page 35 of the paper book.

Learned counsel for the respondent is granted three weeks' time to fil
e
counter affidavit. Thereafter learned counsel for the petitioner is grante
d two
weeks' to file rejoinder affidavit.

Call after six weeks.

(Shashi Sareen)
Court Master

(Vijay Aggarwal)
Court Master