

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).2948/2006
(From the judgement and order dated 03/05/2006 in CRLWP No. 796/2006 of The HIGH COURT OF BOMBAY)

P.C.SEN & ANR. Petitioner(s)
VERSUS
STATE OF MAHARASHTRA & ANR. Respondent(s)
(With appln(s) for stay and office report)

WITH

SLP(Crl) NO. 2959 of 2006
(With appln. for stay and office report)
SLP(Crl) NO. 2960 of 2006
(With appln. for stay and office report)
SLP(Crl) NO. 2961 of 2006
(With appln. for stay and office report)
SLP(Crl) NO. 2962 of 2006
(With appln. for stay and office report)
SLP(Crl) NO. 2963 of 2006
(With appln. for stay and office report)
SLP(Crl) NO. 2964 of 2006
(With appln. for stay and office report)

Date: 16/07/2007 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE C.K. THAKKER
HON'BLE MR. JUSTICE MARKANDEY KATJU

For Petitioner(s) Mr. Dushyant Dave, Sr. Adv.
Ms. Vibha Datta Makhija, Adv.

For Respondent(s)

No. 1 Mr. Ravindra Keshavrao Adsure, Adv.

No.2 In 2963/2006 Mr. R.F. Nariman, Sr. Adv.
Mr. Ashok Kumar Gupta, Adv.
Mr. Sanjiv Sharma, Adv.
Mr. Farrukh Rasheed, Adv.

No.2 In 2959/2006 Dr. Abhishek M Singhvi, Sr. Adv.
Mr. Ashok Kumar Gupta, Adv.
Mr. Sanjiv Sharma, Adv.
Mr. Farrukh Rasheed, Adv.

No.2 In 2948/2006 Mr. G.E. Vahanvati, S.G.
Mr. Ashok Kumar Gupta, Adv.
Mr. Sanjiv Sharma, Adv.
Mr. Farrukh Rasheed, Adv.

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UPON hearing counsel the Court made the following
ORDER

We have heard learned counsel for the parties.

In our opinion, it would be in the ends of justice if all these petitions are disposed of at the Special leave stage. The Registry is, therefore, directed to list the matters for final hearing after eight weeks.

Our attention has been invited by the learned counsel for the

respondent(s) to an order dated December 1, 1006 passed by the High Court. It inter alia states as under :

".....Though reportedly the stay is granted by the Hon'ble Apex court so far as proceeding against said applicants, in the opinion of this Court, in order to maintain judicial discipline and judicial harmony, all the present revision applns. can be heard after waiting for suitable time in order to have the benefit of the order of Hon'ble Apex Court in the pending SLPs. By consent, all the revision applns. are adjourned to 20/01/2007."

So far as this Court is concerned, a vacation Bench passed the following order on June 22, 2006 :

" Issue notice to the respondents.

In the meantime, there shall be stay of further proceedings in so far as the petitioners in these seven special leave petitions are concerned.

Counter be filed within two weeks and the rejoinder if any, within two weeks thereafter.

The trial may proceed so far as the other accused are concerned."

To us, the order passed by this Court was clear. It related only to nominee Directors so far as stay is concerned. It is, however, clarified that order dated 22nd June, 2007 shall apply to nominated Directors only.

[Charanjeet Kaur]
Court Master

[Vinod Kulvi]
Court Master