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C.A.No. 4425 OF 2001

ITEM No. 104

Court No. 4

SECTION XVI

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

CIVIL APPEAL NO. 4425 OF 2001

INDIV INDIA PVT. LTD.

APPELLANT (S)

VERSUS

REHABILITATION INDUSTRIES CORPN. LTD.

RESPONDENT (S)

(With appln. for directions and with office report)

Date : 20/02/2003 This/These Appeal(s) was/were listed for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.B. SHAH

HON'BLE MR. JUSTICE ARUN KUMAR

For Appellant (s) Mr. Prateek Jalan, Adv.

Ms. Indra Sawhney, Adv.

For Respondent (s) Mr. Bijan Kumar Ghosh, Adv.

UPON hearing counsel, the Court made the following

O R D E R

Heard the learned counsel for the parties for five minutes.

The appeal is disposed of in terms of the signed order. There shall be no order as to costs.

KALYANI (JANKI BHATIA)

COURT MASTER

(SIGNED ORDER IS PLACED ON THE FILE.)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4425 OF 2001

INDIV INDIA PVT. LTD. . . . . APPELLANT (S)

VERSUS

REHABILITATION INDUSTRIES CORPN. LTD. . . . . RESPONDENT (S)

O R D E R

Heard the learned counsel for the parties. Pending hearing and disposal of this appeal, the parties have settled the dispute outside the Court and they have filed a joint application for appropriate directions for disposing the appeal on terms and conditions as recorded in paragraph 2 which are as under:-

(a) The respondent shall return the original bank guarantee deed issued by Bank of India, Military Camp, Ballygunge Circular Road, Calcutta-700 019 to the said bank for the purpose of cancellation thereof. A copy of the letter forwarding such bank guarantee deed to the bank would also be endorsed to the appellant herein.

(b) Upon receipt of the original bank guarantee deed, the said bank i.e. Bank of India shall cancel the same.

(c) In consideration of the aforesaid, the appellant shall not pursue its claim against the respondent and the instant appeal shall be treated to have been withdrawn.

(d) Save as aforesaid neither the appellant nor the respondent shall have any claim whether by way of principal amount, interest, cost, damages etc. arising out of the subject dispute claim against each other.

The appeal stands disposed of, accordingly. There shall be no order as to costs.

.....J (M.B. SHAH)

.....J  
(ARUN KUMAR)

NEW DELHI;  
FEBRUARY 20, 2003.