

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).15704/2004

(From the judgement and order dated 29/03/2004 in WP No. 870/2003 of The HIGH COURT OF GAUHATI)

ASSAM STATE ELECTRICITY BOARD & ANR.

Petitioner(s)

VERSUS

STATUTORY COMMISSION & ANR.

Respondent(s)

(With prayer for interim relief and office report)

WITH

S.L.P.(C) NO. 15809 of 2004

(With prayer for interim relief)

Date: 21/04/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE DR. JUSTICE AR. LAKSHMANAN

For Petitioner(s)

Mr. Gopal Subramaniam, Sr. Adv.
Mr. Krishna Sarma, Adv.
Mr. V.K. Sidharthan, Adv.
Mr. Saroj Kumar Jha, Mr. Riku Sarma, Mr. Venu Das
Mr. Surana, Advs. For
M/S Corporate Law Group

For Respondent(s) Mr. F.S. Nariman, Sr. Adv.

Mr. Mukul Rohtagi, Sr. Adv.
Mr. Sushil Kumar Jain, Adv.
Mr. A.P. Dhamija, Adv.
Mr. H.D. Thanvi, Adv.
Mr. Sarad Singhania, Adv.
Mr. Puneet Jain, Adv.
Mr. Ram Niwas, Adv.UPON hearing counsel the Court made the following
O R D E R

Leave granted.

The Special Commission constituted under the Act has awarded a sum

of Rs. 30 crores approximately by way of compensation to the respondents. The High Court has affirmed the order of the Special Commission with little variation. The amount of compensation remains to be Rs.30 crores approximately. This amount is apart from the statutory interest payable under the Act.

The appellants have already deposited Rs. 6 crores which have been withdrawn by the respondents. Operation of the impugned order is stayed subject to deposit of another sum of Rs. 9 crores by the appellants within six weeks, failing which the stay shall stand vacated automatically. Respondents would be at liberty to withdraw the amount on furnishing security to the satisfaction of the Registrar General of the High Court of Gauhati at Guwahati.

In case the appeals succeed, the respondents would be liable for restitution of the amount paid to the respondents at the same rate of interest as the appellants are liable to pay under the Statute.

Expedite hearing.

Liberty to mention.

(J.S. Rawat)
Court Master
Master

(Kanwal Si
Court