

ITEM NO.103

COURT NO.7

SECTION IX

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(s). 4055 OF 1998

RAJASTHAN FINANCIAL CORPN. & ANR

Appellant (s)

VERSUS

THE OFFICIAL LIQUIDATOR & ANR

Respondent(s)

WITH

Civil Appeal NO. 5382 of 1998 - With appln. for stay

Date: 30/08/2005 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE S.B. SINHA

For Appellant(s) Mr. Altaf Ahmad, Sr.Adv.

Mr. Sushil Kumar Jain, Adv.

Mr. Pradeep Agarwal, Adv.

Mr. Ram Niwas, Adv.

Mr. HD. Thanvi, Adv.

Mr. Sarod Singhania, Adv.

Mr. LP. Singh, Adv.

For Respondent Mr. AK. Chitale, Sr.Adv.

No.1 in CA.4055: Mr. Niraj Sharma, Adv.

Mr. Vikrant Singh Bais, Adv.

For Respondent Mr. Sudarsh Menon ,Adv

No.2 in CA.4055: Mr. Rajnathan, Adv.

For Respondents Ms. Madhurima Tatia, Adv.

in CA.5382: Mr. Aruneshwar Gupta, Adv.

UPON hearing counsel the Court made the following

O R D E R

Keeping in view the apparent conflict between the two Judge Bench decision of this

Court in Allahabad Bank vs. Canara Bank & Another [2000 (4) SCC 406] and the subsequent

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decision in International Coach Builders Ltd. Vs. Karnataka State Financial Corporation [2003

(10) SCC 482] as also having regard to the importance of the question of law involved, we deem it

appropriate that the matters be placed before a larger bench after obtaining orders from the

Hon'ble the Chief Justice of India. It may be noted that the latter judgment does not take notice

of the former judgment.

(S. Thapar)

(Kanwal Singh)

PS to Registrar

Court Master