

C.A.No. 5030 OF 1999  
ITEM No.2

Court No. 5

SECTION XVI

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

I.A. No.2 In Civil Appeal No.5030/1999

M/S.SUBHASH PROJECT & MKT.LTD.

Appellant (s)

VERSUS

W.B.POWER DEV.CORPN. LTD.&ORS

Respondent (s)

(for directions)

With C.A.No.5031/1999,C.A.No.5032/1999

Date : 08/08/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE  
HON'BLE MR. JUSTICE B.P. SINGH

For Appellant (s)Mr. Harish N. Salve,Sr.Adv.  
Mr. Sushil Kumar Jain,Adv.  
Mr. A.P. Dhamija,Adv.

For Respondent (s)Mr. V. Krishna Murthy,Adv.

Mr. H.K. Puri,Adv.

Mr. Ujjwal Banerjee,Adv.  
Mr. S.K. Puri,Adv.

Mr. Shail Kumar Dwivedi,Adv.

UPON hearing counsel the Court made the following

O R D E R

Since none of the parties will be benefited by keeping FDR of the applicant with first respondent, we think it is equitable to direct the first respondent to return the FDR to the applicant subject to the condition that the applicant through its Managing Director will execute an undertaking before the Registry of this Court to refund any amount that becomes payable in the event of the above appeal being dismissed by this Court within four weeks from that date.

[Ganga Thakur] [Prem Prakash]  
P.S. to Registrar Court Master