

^

C.A.No. 5543 OF 2004  
ITEM No.45

Court No.5

SECTION X

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

I.A. Nos.1-3 in Civil Appeal No.5543/2004

KISAN SAHKARI CHINI MILLS LTD. & ORS.

Appellant (s)

VERSUS

VARDAN LINKERS & ORS.

Respondent (s)

(for vacating stay and permission to submit additional documents and exemption from filing O.T  
. and office report)

With

I.A. Nos.2-4 in CA. No.5544/2004

(For vacating stay and permission to submit additional documents and exemption from filing O.T  
. and office report)

with

I.A. Nos.3-5 in C.A. No.5545/2004

(For vacating stay and permission to submit additional documents and exemption from filing O.T  
. and office report)

Date : 10/09/2004 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA  
HON'BLE MR. JUSTICE H.K. SEMA

For Applicant(s)/Mr. Sudhanshu Dhulia, Sr. Adv.  
Respondent Nos.1 & 2Ms.Kumud Lata Das, Adv.  
in IA Nos.1-3 in CA  
No.5543/2004

For Applicant(s)/Mr. Sudhanshu Dhulia, Sr. Adv.  
Respondent Nos.1 & 2Ms.Kumud Lata Das, Adv.  
in IA Nos.2-4 in CA  
No.5544/2004

For Applicant(s)/Mr. Sudhanshu Dhulia, Sr. Adv.  
Respondent Nos.1 & 2Ms.Kumud Lata Das, Adv.  
in IA Nos.3-5 in CA  
No.5545/2004

For Appellant (s)Mr. U.K. Uniyal, AG, Uttaranchal  
in CA 5543/2004Mr. D.K. Garg, Adv.  
Mr. B.S. Bilowria, Adv.  
Mr. Rohit Pandey, Adv.  
Mr. D.K. Gupta, Adv.

in CA 5544/04Mr. Avatar Singh Rawat, AAG, Uttaranchal  
Mr. Baldev Atreya, Adv.  
Mr. Jitendra Kumar Bhatia, Adv.

in CA 5545/04 Mr. Mukul Rohtagi, Sr. Adv.  
Mr. D.K. Garg, Adv.  
Mr. B.S. Bilowria, Adv.  
Mr. Rohit Pandey, Adv.  
Mr. D.K. Gupta, Adv.  
Mr. R.C. Kaushik, Adv.

UPON hearing counsel the Court made the following

O R D E R

After fully hearing the parties we had, by our order dated 23rd August 2004, stayed the High Court order with a clarification that the Applicants herein will be allowed to lift the balance quantity out of 15,000 quintals already allotted to them. In our view, no new facts have been brought on record save and except to state that the molasses may deteriorate.

Mr. Rohtagi makes a statement that the molasses has already been auctioned at Rs.602 per quintal. In view thereof, all the interlocutory petitions are dismissed save and except that the Applicants-Respondents will be entitled to lift the balance quantity of 15,000 quintals.

(K.K. Chawla)  
Court Master

(Jasbir Singh)  
Court Master

^

C.A.No. 5543 OF 2004  
ITEM No.45

Court No.5

SECTION X

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

I.A. Nos.1-3 in Civil Appeal No.5543/2004

KISAN SAHKARI CHINI MILLS LTD. & ORS.

Appellant (s)

VERSUS

VARDAN LINKERS & ORS.

Respondent (s)

(for vacating stay and permission to submit additional documents and exemption from filing O.T . and office report)

With

I.A. Nos.2-4 in CA. No.5544/2004

(For vacating stay and permission to submit additional documents and exemption from filing O.T . and office report)

with

I.A. Nos.3-5 in C.A. No.5545/2004

(For vacating stay and permission to submit additional documents and exemption from filing O.T . and office report)

Date : 10/09/2004 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA  
HON'BLE MR. JUSTICE H.K. SEMA

For Applicant(s)/Mr. Sudhanshu Dhulia, Sr. Adv.  
Respondent Nos.1 & 2Ms.Kumud Lata Das, Adv.  
in IA Nos.1-3 in CA  
No.5543/2004

For Applicant(s)/Mr. Sudhanshu Dhulia, Sr. Adv.  
Respondent Nos.1 & 2Ms.Kumud Lata Das, Adv.  
in IA Nos.2-4 in CA  
No.5544/2004

For Applicant(s)/Mr. Sudhanshu Dhulia, Sr. Adv.  
Respondent Nos.1 & 2Ms.Kumud Lata Das, Adv.  
in IA Nos.3-5 in CA  
No.5545/2004

For Appellant (s)Mr. U.K. Uniyal, AG, Uttaranchal  
in CA 5543/2004Mr. D.K. Garg, Adv.  
Mr. B.S. Bilowria, Adv.  
Mr. Rohit Pandey, Adv.  
Mr. D.K. Gupta, Adv.

in CA 5544/04Mr. Avatar Singh Rawat, AAG, Uttaranchal  
Mr. Baldev Atreya, Adv.  
Mr. Jitendra Kumar Bhatia, Adv.

in CA 5545/04Mr. Mukul Rohtagi, Sr. Adv.  
Mr. D.K. Garg, Adv.  
Mr. B.S. Bilowria, Adv.  
Mr. Rohit Pandey, Adv.  
Mr. D.K. Gupta, Adv.  
Mr. R.C. Kaushik, Adv.

UPON hearing counsel the Court made the following

O R D E R

After fully hearing the parties we had, by our order dated 23rd August 2004, stayed the High Court order with a clarification that the Applicants herein will be allowed to lift the balance quantity out of 15,000 quintals already allotted to them. In our view, no new facts have been brought on record save and except to state that the molasses may deteriorate.

Mr. Rohtagi makes a statement that the molasses has already been auctioned at Rs.602 per quintal. In view thereof, all the interlocutory petitions are dismissed save and except that the Applicants-Respondents will be entitled to lift the balance quantity of 15,000 quintals.

(K.K. Chawla)  
Court Master

(Jasbir Singh)  
Court Master