

ITEM NO.1

COURT NO.3

SECTION XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).16741/2010

(From the judgement and order dated 04/05/2010 in
of The HIGH COURT OF DELHI AT N. DELHI)

FAO No.314/2010

MMTC LTD.

Petitioner(s)

VERSUS

M/S BELCOMJV

Respondent(s)

(With appl.n(s) for permission to file addl.documents and prayer
for interim relief)

Date: 15/06/2010

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DEEPAK VERMA
HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN
(VACATION BENCH)

For Petitioner(s)

Mr. P.P. Malhotra, ASG
Mr. Puneet Taneja, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

Issue notice.

Heard Shri P.P. Malhotra, learned Additional
Solocitor General for the petitioner. Additional
documents have been filed pursuant to the order

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passed by this Court and the same are directed to be

taken on record. In their application for grant of

stay filed before Division Bench of High Court of

Delhi which passed the impugned order, it was the

specific case of the petitioner that the amount has

already been paid to the respondent way back in the

month of December, 1992 and if the petitioner is required to pay the said amount again, it will amount to double payment. However, it appears that this aspect of the matter has not been considered by the Division Bench of the High Court.

In the aforesaid view we direct that the operation of the impugned order would be kept in abeyance until the respondents are served.

We also find from the impugned order that respondent had appeared on Caveator through their advocates. Petitioner is directed to effect service on any of the advocates who had appeared on Caveator in the High court within two days hereof.

Dasti in

addition.

The matter be listed on 17.6.2010.

(O.P. Sharma)
Court Master

(M.S. Negi)
Court Master