

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).18607/2004

(From the judgement and order dated 08/04/2004 in MFA No. 4795/2002 of The HIGH COURT OF KARNATAKA AT BANGALORE)

KARNATAKA POWER TRANSMISSION CORP. LTD. Petitioner(s)
VERSUS
JINDAL THERMAL POWER CO. LTD. & ORS. Respondent(s)

(With office report)
(FOR FINAL DISPOSAL)
WITH SLP(C) NO. 23793 of 2004
(With appln.(s) for directions and office report)

Date: 17/07/2007 This Petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE H.K. SEMA
HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Petitioner(s)
in SLP(C) 18607/2004 Mr. K.K. Venugopal, Sr. Adv.
& R.No.3 in SLP(C) Mr. S.S. Naganand, Sr. Adv.
23793/2004 Mr. Raghavendra S. Srivatsa, Adv.
Mr. S. Sriranga, Adv.
Mr. Subramonium Prasad, Adv.
Mr. K.N. Manjunath, Adv.

Mr. Amit Dhingra, Adv.
Mr. Raghav Mathur, Adv.
Mr. Rahul Prasanna Dave, Adv.

For Respondent(s) Dr. Abhishek M. Singhvi, Sr. Adv.
Mr. Manu Nair, Adv.
Mr. L. Vishwanathan, Adv.
Mr. Kirat Singh Nagara, Adv.
for M/S Suresh A. Shroff & Co., Adv.

Mr. Rahul Prasanna Dave, Adv
Mr. Sanjay R. Hegde, Adv

UPON hearing counsel the Court made the following
ORDER

This matter has been listed before us today for hearing. By an order dated 8/1/2007, a two-Judges Bench of this Court, headed by the present Hon'ble Chief Justice of India, directed the matter to be listed before a three-Judges

.....2.

Bench. Thereafter, an order dated 23/1/2007 was passed by a three-Judges Bench headed by Hon'ble the CJI. The order dated 6/2/2007 was also passed by a three-Judges Bench.

We also notice that in the first order passed by the Division Bench on 28/3/2005, after discussing earlier decisions of this Court rendered in Civil Appeal Nos.266-284 of 2004, Coimbatore Stock Exchange & Ors. Vs. Tamil Nadu Electricity Regulatory Commission & Ors. and 2004 (7) Scale 258, West Bengal Rolling Mills Association Vs. State of West Bengal & Ors., the matter was placed before Hon'ble the Chief Justice of India for listing the matters before an appropriate larger

Bench. Thereafter, it was listed before a three-Judges Bench.

In the teeth of the earlier orders of this Court and in the fitness of things we are of the view that the matter may be listed before a three-Judges Bench for disposal. Mr. K.K. Venugopal, learned senior counsel contends that there is an urgency in the matter as the amount involved is about rupees one hundred crores and by an order dated 23/1/2007 the appellant was directed to pay this amount to the respondents, which has been paid.

Keeping in view the urgency, Registry shall place the matter before Hon'ble CJI for constituting an appropriate three-Judges Bench.

(Ravi P. Verma)
Court Master

(Anand Singh)
Court Master