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ITEM NO.57

COURT NO.6

SECTION XVI

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

Petition(s) for Special Leave to Appeal (Civil) No(s).20114-20115/2013

(From the judgement and order dated 10/06/2013 in CP No.222/1991,APO No.346/1996,APO No.347/1996 of The HIGH COURT OF CALCUTTA)

BHAGWATI DEV. PVT. LTD.

Petitioner(s)

VERSUS

PEERLESS GEN. FINANCE INV. CO. LTD & ORS

Respondent(s)

(With prayer for interim relief and office report)

WITH SLP(C) NO. 20292-20293 of 2013

(With prayer for interim relief and office report)

Date: 05/07/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN

HON'BLE MR. JUSTICE S.A. BOBDE

For Petitioner(s)

Mr. Sunil Gupta,Sr.Adv.

(SLP(C)20114-15/2013

Mr. Shyam Divan,Sr.Adv.

Mr. Manoj,Adv.

Ms. Aparna Sinha,Adv.

Mr. Reddy,Adv.

Mr. P. Jain,Adv.

Mr. Bijoy Kumar Jain,Adv.

(SLP(C)20292-93/2013)

Mr. Ashok H.Desai,Sr.Adv.

Mr. Bhaskar P.Gupta,Sr.Adv.

Mr. Abhijit Chatterjee,Sr.Adv.

Mr. S. Sukumaran,Adv.

Mr. Anand Sukumar,Adv.

Mr. Bhupesh Kumar Pathak,Adv.

Ms. Meera Mathur,Adv.

For Respondent(s)

(SLP(C)20114-15/2013)

Mr. Ashok H.Desai,Sr.Adv.

Mr. Bhaskar P.Gupta,Sr.Adv.

Mr. Abhijit Chatterjee,Sr.Adv.

Mr. S. Sukumaran,Adv.

Mr. Anand Sukumar,Adv.

Mr. Bhupesh Kumar Pathak,Adv.

Ms. Meera Mathur,Adv.

(SLP(C)20292-93/2013

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- 2 -

Ms. Aparna Sinha,Adv.

Mr. Reddy,Adv.

Mr. P. Jain,Adv.

Mr. Bijoy Kumar Jain,Adv.

UPON hearing counsel the Court made the following

O R D E R

SLP(C)20114-20115/2013

We do not find any force in the petitions. The Special Leave Petitions are therefore dismissed.

However, considering the facts and circumstances of the case we request the learned Single Judge to decide the Company Petition at the earliest preferably within a period of six months from the date of production of this order before the learned Court.

SLP(C)20292-20293/2013

Mr. Ashok H.Desai, learned senior counsel appearing for the petitioner has submitted that certain documents were placed before the High Court, however, it has not taken note of the same. Mr. Sunil Gupta, learned senior counsel appearing for the other side denied it. Be that as it may, we are not inclined to entertain the petition. The special leave petitions are therefore dismissed.

However, it is open to the present petitioner to file a review petition before the High Court, if so advised.

It is made clear that we have expressed no opinion on the merit of the case.

The order passed in the SLP(C)No.20114-15 in respect of time for disposal would be subject to the order passed by the Hon'ble High Court in the review petition, if any.

(O.P. Sharma)
Court Master

(M.S. Negi)
Court Master