

ITEM NO.23
(Mentioned)

COURT NO.2

SECTION XII

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).16919-16920/2011

(From the judgement and order dated 10/06/2011 in MP No.1/2011,
OSA No.119/2011 of The HIGH COURT OF MADRAS)

M/S GOODYEAR INDIA LIMITED

Petitioner(s)

VERSUS

NORTON INTECH RUBBERS(P) LTD.& ANR

Respondent(s)

(With appln.(s) for directions and prayer for interim relief)
(For final disposal)

Date: 02/11/2011 These Petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR
HON'BLE MR. JUSTICE JASTI CHELAMESWAR

For Petitioner(s) Mr. C.A. Sundaram, Sr. Adv.
Mr. M.G. Ramachandran, Adv.
Mr. K.V. Mohan, AOR
Mr. Yogesh V. Kotemath, Adv.

For Respondent(s) Respondent-In-Person
Mr. B. Balaji, Adv.

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

I.A. No.2 of 2011, has been filed on behalf of the
respondent No.1 Company and the same is moved by Mr. G.S.
Rajasekaran, its Managing Director, who had filed an
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application to represent the company during the hearing. In
the said application, the applicant has prayed for a
direction to the Madras High Court to permit withdrawal of
Rs.60,08,621/-, deposited by the petitioner towards 75% of
the principal amount claimed by way of pre-deposit for
preferring the appeal. Even before the application was
filed in this Court, the applicant also filed an application
before the Madras High Court for the self-same reliefs, as
prayed for, in the present application.

Mr. C.A. Sundaram, learned senior counsel appearing
for the petitioner-Company, M/s. Goodyear India Limited,
pointed out that the application filed before the Madras
High Court was disposed of on 22nd July, 2011, with a

direction upon the Registrar General of the Court to transfer to the Manager, Reserve Bank of India, Madras, the aforesaid sum, which was in Court deposit and standing to the credit of O.P.D. No.14214 of 2010 and A.D. No.14215 of 2010. The Reserve Bank was directed to invest the amount in an interest-bearing Fixed Deposit account for a period of three months in the Bank indicated. The matter was thereafter posted on 13th September, 2011, when the same was adjourned on account of the pendency of this matter before this Court.

Be that as it may, since an order has been passed by the Madras High Court regarding deposit of the aforesaid amount for which relief has been sought, with the Reserve Bank of India, with a further direction to invest the same, we are not in a position to pass orders on I.A. No.2 of 2011. However, as we have indicated earlier as well, in the interest of the parties, this matter should be heard and disposed of finally. Accordingly, as per the order passed

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earlier on 2nd September, 2011, let the matter be listed for final disposal, as indicated in the said order, on 29th November, 2011, at 2.00 p.m.

I.A. No.2 of 2011, is disposed of accordingly.

In the meantime, the petitioner shall also deposit a sum of Rs.1 crore with the Reserve Bank of India, which shall invest the said amount in the same manner, as directed earlier.

The interim order as passed, will continue till further hearing, subject to deposit of the aforesaid amount within two weeks from date.

Let S.L.P. (C) No.D 27855 of 2011, be also listed along with this matter.

(Chetan Kumar)
Court Master

(Juginder Kaur)
Assistant Registrar