

IT E M NO.4 0

COURT NO.1 2

S E C T I O N XVI I

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).1 6 9 7 1 - 1 6 9 7 3 / 2 0 0 8

(From the judgment and order dated 1 5 / 0 4 / 2 0 0 8 in R P Nos. 3 4 3 1 - 3 2 / 0 6 and
333 4 / 2 0 0 6 of The NAT I O N A L C O N S U M E R S D I S P U T E S R E D R E S S A L
C O M M I S S I O N , N E W D E L H I)

L A F A R G E I N D I A L T D.

Petitioner(s)

V E R S U S

M/S. B A R E K H A N T R A D E R S & O R S.

Respondent(s)

(With prayer for interim relief)

Date: 2 8 / 0 7 / 2 0 0 8 These Petitions were called on for hearing today.

C O R A M :

H O N ' B L E M R . J U S T I C E D A L V E E R B H A N D A R I
H O N ' B L E M R . J U S T I C E H A R J I T S I N G H B E D I

For Petitioner(s) Mr. Arun Jaitley, Sr. Adv.

Mr. Gopal J ain, Adv.
Ms. Nandini Gore, Adv.
Mr. Animesh Sinha, Adv.
Mrs. Manik Ka r a n j a w a l a , Adv.

For Respondent(s)

U P O N hearing counsel the Court made the following
O R D E R

Mr. Arun Jaitley, learned Senior Advocate submitted
that the grievance of the respondent was that the cement which
was sold by the petitioner lacked in strength. The State
Commission observed that the petitioner manufactured and
packed cement in September 2 0 0 2 but was purchased by the

2

respondent on 1 5 . 1 1 . 2 0 0 3 . Under the Cement User's guidelines,
the strength of the cement is reduced by 4 0% in a year and 5 0%
in two years. This has not been appreciated in proper
perspective by the National Commission.

Issue notice return able within three weeks.

Meanwhile, operation of the impugned order of the
National Commission shall remain stayed.

(K. K. Chawla)
Court Master

(Neeru Bal a Vij)
Court Master