

D\206

C.A.No. 2330 OF 2000
ITEM No.4
(Part Heard)

Court No. 2

SECTION XVII
A/N MATTER

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

Civil Appeal No.2330/2000@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

M/S. HARIDAS EXPORTS
A

Appellant (s)@@

VERSUS

ALL INDIA FLAT GLASS MFRS. ASSON. & ORS

Respondent (s)

(With Appln(s). for stay)

With
SLP(C)No.22549/2001
[M/s Haridas Exports Vs. All India Flat Glass Mfg. Assn.,N.D. & Ors.]

C.A.No.3572/2000
[P.T. Muliaglass Vs. A.I. Flat Glass Manufacturing Asson. & Ors.]
(with appln.(s) for interim relief)

C.A.No.76/2002
[P.T. Muliaglass Vs. All India Flat Glass Mfg. Assn. & Ors.]

C.A. No. 3562/2000
[American Natural Soda Ash Corproation Vs. Alkali Manufacturers
Asson. of India & Ors.]

Date : 29/01/2002 These Petitions were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE Y.K. SABHARWAL
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

For Appellant/
Petitioner
in CA 2330/00 &
SLP 22549/01
Mr. P. Chidambaram, Sr. Adv.
Mr. Vikas Mehta, Adv.
Ms. Indu Malhotra, Adv.

in CA 3572/00 &
76/2002
Mr. R.F. Nariman, Sr. Adv.
Mr. Diljeet Titus, Adv.
Ms. Kiran Bhardwaj, Adv.
Mr. Satya Mitra, Adv.
Ms. Priya Hegde, Adv.
Mr. Sohil Dutt, Adv.
Mr. Sanjay R. Hegde, Adv.

in CA 3562/00
Mr. Joseph Vellapally, Sr. Adv.
Mr. Ramesh Singh, Adv.
Mr. R N Karanjawala, Adv.
Mr. Gourab Banerjee, Adv.
Ms. Ruby Singh Ahuja, Adv.
Ms. Pooja Gautam, Adv.
Ms. Meghna Srivastava, Adv.
Ms. Manik Karanjawala, Adv.

.PA

:3:

ITEM NO. 2 COURT NO. 2 DATE : 31/01/2002
(Part-Heard)

CORAM & APPEARANCE :@@
CCCCCCCCCCCCCCCCCCCC

Same as on 29/01/2002@@
CCCCCCCCCCCCCCCCCCCC

Mr. Joseph Vellapally resumed his arguments at 11.00 A.M. and concluded at 12.00 Noon.

Arguments concluded.

Judgment reserved.

Written submissions on behalf of the appellants be filed within a week and written submissions on behalf of the respondents within a weeks thereafter. The appellants are permitted to file their supplementary written submissions within a week thereafter.

(D.P. WALIA)
COURT MASTER

(S.L. GOYAL)
COURT MASTER

.PA

C.A. No. 2330/2000 etc.@@
CCCCCCCCCCCCCCCCCCCC
(CAV on 31.1.2002)

LIST OF BOOKS@@
CCCCCCCCCCCCCCCC

1. Customs Act.
2. Customs Tariff Act and Rules.
3. MRTP Act.
4. 1993 (3) SCC 499.
5. 1988 (4) Common Market Law Reports 901.
6. 1969 (3) All.ER 1065.
7. 1995 (Suppl. 2) SCC 498.
8. 1960 (3) SCR 713 (Photostat filed by Mr. Nariman)
9. 1999 (8) SCC 744.
10. 125 L.Ed. 2d. 168
(photocopy will be submitted along with written submissions of Mr. Chidambaram).

Photostat copies filed by Mr. Nariman, Sr. Adv.@@
CC

- 10. WTO Agreement.
- 11. Anti Dumping and Countervailing Provisions in Customs Act, 1975.

Photostat copies filed by Mr. Divan, Sr. Adv.@@
CC

- 12. Treaty of Rome establishing the European Community.
- 13. European Communities Judgment re: Wood Pulp Cartel.
- 14. American Jurisprudence Vo. 54.
- 15. 125 Lawyers Edition 2d. 612.
- 16. 1983 (3) Comp. L.J. 221.
- 17. 87 Company Cases 159 - Ballarpur Inds. case.
- 18. 18 L.Ed. 2d. 406 - Uta-Pie case.

Photostat copy filed by Mr. Subramaniam, Sr. Adv.@@
CC

- 19. Ministerial Declaration dated 14.11.2001.

[Written submissions along with relevant documents (in bound volumes) will again be filed by Mr. Chidambaram, Mr. Nariman, Mr. Vellapally, Mr. D P Gupta, Mr. Divan and Mr. Subramaniam, Sr. Adv.]

.PA		
ITEM No.1	Court No. 2	SECTION XVII
(Part Heard)		A/N MATTER

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

Civil Appeal No.2330/2000@@
EE

M/S. HARIDAS EXPORTS	Appellant (s)@@
A	

VERSUS

ALL INDIA FLAT GLASS MFRS. ASSON. & ORS	Respondent (s)
---	----------------

(With Appln(s). for stay)

With
SLP(C)No.22549/2001
[M/s Haridas Exports Vs. All India Flat Glass Mfg. Assn.,N.D. & Ors.]

C.A.No.3572/2000
[P.T. Muliaglass Vs. A.I. Flat Glass Manufacturing Asson. & Ors.]
(with appln.(s) for interim relief)

C.A.No.76/2002 (For prel. hearing)
[P.T. Muliaglass Vs. All India Flat Glass Mfg. Assn. & Ors.]

C.A> No. 3562/2000
[American Natural Soda Ash Corproation Vs. Alkali Manufacturers

Asson. of India & Ors.]

Date : 23/01/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE Y.K. SABHARWAL
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

For Appellant/
Petitioner
in CA 2330/00 &
SLP 22549/01

Mr. P. Chidambaram, Sr. Adv.
Mr. Vikas Mehta, Adv.
Ms. Indu Malhotra, Adv.

in CA 3572/00 &
76/2002

Mr. R.F. Nariman, Sr. Adv.
Mr. Diljeet Titus, Adv.
Ms. Kiran Bhardwaj, Adv.
Ms. Anita Ibrahim, Adv.
Mr. Satya Mitra, Adv.
Ms. Priya Hegde, Adv.
Mr. Sohil Dutt, Adv.
Mr. Sanjay R. Hegde, Adv.

in CA 3562/00

Mr. Joseph Vellapally, Sr. Adv.
Mr. Gourab Banerjee, Adv.
Mr. Ramesh Singh, Adv.
Ms. Ruby Singh Ahuja, Adv.
Ms. Pooja Gautam, Adv.
Ms. Manik Karanjawala, Adv.

For Respondent (s)
in CA 2330/00 &
SLP(C) 22549/01

Mr. Dipankar P. Gupta, Sr. Adv.
Ms. P.S. Shroff, Adv.
Mr. Sunil Dogra, Adv.
Mr. T. Srinivas Murthy, Adv.
Mr. Jayant Mehta, Adv. for
M/s Suresh A. Shroff & Co., Adv.

:2:

in CA 3572/00 &
76/2002

Mr. Anil B. Divan, Sr. Adv.
Ms. P.S. Shroff, Adv.
Mr. T. Srinivas Murthy, Adv.
Mr. Jayant Mehta, Adv. for
M/s S.A. Shroff & Co., Adv.

in CA 3562/00

Mr. Gopal Subramaniam, Sr. Adv.
Mr. Krishnan Venugopal, Adv.
Ms. P.S. Shroff, Adv. for
M/s SA Shroff & Co., Adv.

UPON hearing counsel the Court made the following

O R D E R

.....L.....I.....T.....T.....T.....T.....T.....J

Mr. Joseph Vellapally appearing for appellant-American Natural Soda Ash Corporation resumed his arguments at 10.30 A.M. and concluded at 12.25 P.M. Thereafter, Mr. Dipankar P. Gupta appearing on behalf of respondent-All India Flat Glass Manufacturers Association in Civil Appeal No. 2330/2000 and in SLP (C) No. 22549/2001 started his submissions and had not concluded when the Court took up mentioning matters for the day.

The matters remained part-heard.

Kalyani. (D.P. WALIA) (S.L. GOYAL) @@
AA
COURT MASTER COURT MASTER @@
A AA

= = = = =
~

ITEM NO. 1 COURT NO. 2 DATE : 24/01/2002
(Part-Heard)

CORAM & APPEARANCE :@@
CCCCCCCCCCCCCCCCCCCC

Same as on 23/01/2002@@
CCCCCCCCCCCCCCCCCCCC

Mr. Dipankar P. Gupta resumed his arguments at 11.10 A.M. when the Court assembled for the day and concluded at 11.40 A.M. Thereafter, Mr. Anil B. Divan, learned senior counsel appearing against P.T. Muliaglass in C.A. Nos. 3572/2000 and 76/2002 commenced his arguments and concluded at 3.00 P.M. Thereafter, Mr. Gopal Subramaniam, learned senior counsel appearing for respondent(s) in C.A. No. 3562/2000 started his arguments and was on his legs when the Court took up mentioning matters for the day.

The matters remained part-heard.

Kalyani. (D.P. WALIA) (S.L. GOYAL) @@
AA
COURT MASTER COURT MASTER @@
A AA

ITEM No.2 Court No. 2 SECTION XVII
A/N MATTER

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

Civil Appeal No.2330/2000@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

M/S. HARIDAS EXPORTS Appellant (s)@@
A

VERSUS

ALL INDIA FLAT GLASS MFRS. ASSON. & ORS Respondent (s)

(With Appln(s). for stay)

With
SLP(C)No.22549/2001
[M/s Haridas Exports Vs. All India Flat G lass Mfg. Assn.,N.D. & Ors.]

C.A.No.3572/2000
[P.T. Muliaglass Vs. A.I. Flat Glass Manufacturing Asson. & Ors.]
(with appln.(s) for interim relief)

C.A.No.76/2002 (For prel. hearing)
[P.T. Muliaglass Vs. All India Flat Glass Mfg. Assn. & Ors.]

Date : 22/01/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE Y.K. SABHARWAL
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

For Appellant/
Petitioner
in CA 2330/00 &
SLP 22549/01

Mr. P. Chidambaram, Sr. Adv.
Mr. Vikas Mehta, Adv.
Ms. Indu Malhotra, Adv.

in CA 3572/00 &
76/2002

Mr. R.F. Nariman, Sr. Adv.
Mr. Diljeet Titus, Adv.
Ms. Kiran Bhardwaj, Adv.
Ms. Anita Ibrahim, Adv.
Mr. Satya Mitra, Adv.
Ms. Priya Hegde, Adv.
Mr. Sohil Dutt, Adv.
Mr. Sanjay R. Hegde, Adv.

in CA 3562/00

Mr. Joseph Vellapally, Sr. Adv.
Mr. Gourab Banerjee, Adv.
Mr. Ramesh Singh, Adv.
Ms. Ruby Singh Ahuja, Adv.
Ms. Pooja Gautam, Adv.
Ms. Manik Karanjawala, Adv.

For Respondent (s)
in CA 2330/00 &
SLP(C) 22549/01

Mr. Dipankar P. Gupta, Sr. Adv.
Ms. P.S. Shroff, Adv.
Mr. Sunil Dogra, Adv.
Mr. T. Srinivas Murthy, Adv.
Mr. Jayant Mehta, Adv. for
M/s Suresh A. Shroff & Co., Advs.

: 2 :

in CA 3572/00 &
76/2002

Mr. Anil B. Divan, Sr. Adv.
Ms. P.S. Shroff, Adv.
Mr. T. Srinivas Murthy, Adv.
Mr. Jayant Mehta, Adv. for
M/s S.A. Shroff & Co., Advs.

in CA 3562/00

Mr. Gopal Subramaniam, Sr. Adv.
Ms. P.S. Shroff, Adv. for
M/s SA Shroff & Co., Advs.

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

.....L.....I.....T.....T.....T.....T.....T.....J

.SP2

Mr. P. Chidambaram, learned senior counsel appearing for M/s Haridas Exports started his arguments at 11.30a.m. and concluded at 12.50p.m. Thereafter, Mr. R.F. Nariman, learned senior counsel appearing for P.T. Muliaglass started his arguments and concluded at 3.20p.m.

On being mentioned, Civil Appeal No. 3562/2000 is

