

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

I.A. NOS.1,2 AND 3 IN CIVIL APPEAL NO.10370 OF 2010

M/S ROCKLITE RESINS & CHEM.P.LTD.& ORS. Appellant (s)

VERSUS

M/S ARINITIS SALES P.LTD. Respondent(s)

(For restoration, c/delay in filing application for restoration and c/delay in filing statement of case)

Date: 09/09/2013 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA
(In Chambers)

For Applicant Mr. Rajiv K. Garg,Adv.
Appellant(s) Mr. K.K. Aggarwal,Adv.
Mr. Annam D.N. Rao,Adv.

For Respondent(s) Mr. R.K. Dhawan,Adv.
Ms. Richa Dhawan,Adv.
Mr. M.A.Chinnasamy,Adv.

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

The interlocutory application for restoration of order dated 16th October, 2012, has been taken out by the appellants by which both parties were directed to file statement of case by granting four weeks' time. The appellants failed to file the same within the stipulated time. By virtue of the said order dated 16th October, 2012, the civil appeal stood dismissed on its own.

....2/-

- 2 -

Having heard learned counsel for the applicant-appellants and on being satisfied for the reasons stated in the application for restoration, I.A. Nos.1, 2 and 3 are allowed. The civil appeal stands restored to its original file. Whatever interim order, which was operating prior to the dismissal of civil appeal, shall also stand restored.

[Alka Dudeja]
A.R.-cum-P.S.

[Indu Pokhriyal]
Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

I.A. NOS.1, 2 AND 3
IN
CIVIL APPEAL NO.10370 OF 2010

M/s. Rocklite Resins & Chemicals Pvt. Ltd.
and Ors. ...Appellant(s)

Versus

M/s. Arinits Sales Pvt. Ltd. ...Respondent(s)

O R D E R

The interlocutory application for restoration of order dated 16th October, 2012, has been taken out by the appellants by which both parties were directed to file statement of case by granting four weeks' time. The appellants failed to file the same within the stipulated time. By virtue of the said order dated 16th October, 2012, the civil appeal stood dismissed on its own.

Having heard learned counsel for the applicant-appellants and on being satisfied for the reasons stated in the application for restoration, I.A. Nos.1, 2 and 3 are allowed. The civil appeal stands restored to its original file. Whatever interim order, which was operating prior to the dismissal of civil appeal, shall also stand restored.

.....J.
[FAKKIR MOHAMED IBRAHIM KALIFULLA]

New Delhi,
September 09, 2013.