

ITEM NO.3

COURT NO.6

SECTION IX

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 (C) NO(S).
27261-27262/2011

(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 25/03/2009
IN AN NO. 628/2002 IN MP NO. 29/1992 AND DATED 01/07/2011 IN NOM
NO. 2367/2009 IN AN NO. 628/2002 IN MP NO. 29/1992 PASSED BY THE
HIGH COURT OF BOMBAY)

M/S GIRNAR EXPORTS

PETITIONER(S)

VERSUS

HINDUSTAN UNILEVER LIMITED & ANR RESPONDENT(S)
(WITH APPLN. (S) FOR C/DELAY IN FILING SLP AND PERMISSION TO PLACE
ADDL. DOCUMENTS ON RECORD AND INTERIM RELIEF AND OFFICE REPORT)

Date : 02/08/2016 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s) Mr. Dushyant Dave, Sr. Adv.
Ms. Meenakshi Arora, Sr. Adv.
Mr. Darius Dalal, Adv.
Mr. Mohit D. Ram, Adv.
Mr. Neeraj Kumar, Adv.

For Respondent(s) Mr. Sameer Parekh, Adv.
Ms. Rukhmini Bobde, Adv.
Ms. Aakanksha Nehra, Adv.
Mr. Aakash, Adv.
For M/s. Parekh & Co., Adv.

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

Delay condoned.

Permission to file additional documents is granted.

Leave granted.

The appeals are disposed of in terms of the signed
order.

[VINOD LAKHINA]
COURT MASTER

[ASHA SONI]
COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.7242-7243 OF 2016
[Arising out of Special Leave Petition
(Civil) No.27261-27262/2011]

M/S GIRNAR EXPORTS . . . APPELLANT

VERSUS

HINDUSTAN UNILEVER LIMITED
& ANR. . . RESPONDENTS

ORDER

1. Delay condoned.
2. Leave granted.
3. We have heard the learned counsels for the parties. In our considered view, the High Court in the facts of the case, as have now transpired, ought not to have proceeded to settle the matter on compromise. This is because, while Shri Dushyant Dave, learned Senior Counsel appearing for the appellant has submitted that the terms of the settlement were not correctly recorded, Shri Sameer Parekh,

learned counsel for the respondents submits that, in fact, there was no settlement. Even before this Court various offers and counter offers have been made on behalf of the parties which did not appear to the Court to be capable of a lasting solution to the dispute between the parties.

4. In these circumstances, the only viable option is to remit the matter to the High Court for a decision on merits. We order accordingly and consequently set aside the orders of the High Court.

5. The appeals are disposed of in the above terms.

.....,J.
(RANJAN GOGOI)

.....,J.
(PRAFULLA C. PANT)

NEW DELHI
AUGUST 02, 2016