

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 (Cr1) No(s).5925/2006

(From the judgement and order dated 13/09/2006 in CLRM No. 60/2006 of The  
HIGH COURT OF H.P AT SHIMLA)

MORGAN SECURITIES & CREDITS PVT.LTD&ORS

Petitioner(s)

VERSUS

STATE OF H.P & ANR

Respondent(s)

(With appln(s) for ex-Parte stay,exemption from filing c/c of the impugned Judgment)

WITH SLP(Cr1) NO. 5995 of 2006

(With appln(s) for ex-Parte stay,exemption from filing c/c of the impugned Judgment  
and office report)

Date: 01/12/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE TARUN CHATTERJEE

For Petitioner(s)

Mr. Harish N. Salve, Sr.Adv.

Mr. Sushil Kumar Jain,Adv.

Mr. Puneet Jain, Adv.

Mr. H.D.Thanvi, Adv.

Mr. Sarad Singhania, Adv.

Ms. Pratibha Jain

For Respondent(s)

Mr. F.S.Nariman, Sr.Adv.

Mr. Dushyant Dave, Sr.Adv.

Mr. Prabhjit Jauhar, Adv.

Mr. Vijay Aggarwal, Adv.

Mr. S.S. Jauhar, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard counsel for the parties.

Counsel for the petitioners has challenged the impugned order of the High Court dated 13th September, 2006 on various grounds. The contesting respondents, on the other hand

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contend that the impugned order is a consent order and that the petitioners before this Court had consented to an order being passed providing for protection and safeguards as incorporated in the said order. On the other hand, Counsel for the petitioners submits that they had only consented to the matter being disposed of finally on that date, without formal admission of the matter. It is not possible for us to go

into this question. We therefore, permit the parties to move the High

Court and the High Court will pass an appropriate order clarifying

whether the impugned order was passed by consent or whether the

consent was given by the petitioners limited to the final disposal of the

matter at the admission stage.

The investigation is not stayed but the Investigating Agency will

keep in mind the spirit of the High Court's Order.

Put up after eight weeks.

(Sukhbir Paul Kaur)

Court Master

(Vijay Dhawan)

Court Master