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SLP(Crl.)No. 41 OF 2004
ITEM No.50

Court No.11

SECTION II
A/N MATTER

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 (Crl.) No. 41/2004
(From the judgement and order dated 03/12/2003 in CRLM(M) 3009/03
of The HIGH COURT OF DELHI AT N. DELHI)

ENGG. EXPORT POROMOTION COUNCIL Petitioner (s)

VERSUS

USHA ANAND & ANR. Respondent (s)

(With Appln(s). for stay)

Date : 27/09/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE C.K. THAKKER

For Petitioner (s)Mr. Saurabh Agrawal,Adv.
Ms. Sangeeta Mandal,Adv.
Ms. Swati Sinha,Adv.
Ms. Jayasree Singh,Adv.
for M/s Fox Mandal & Co.,Advs.

For Respondent (s)Mr. Rajeev Dutta, Sr.Adv.
Mr. Gopalakrishnan,Adv.
Ms. Kanchan Singh,Adv.
Mr. Abhay Kumar,Adv.
Mr. Rahul,Adv.
Mr. Subramonium Prasad.,Adv.

Mr. T.S. Doabia, Sr.Adv.
Mr. Manish Sharma,Adv.
Mr. P. Parmeswaran,Adv.

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

Leave granted.

The appeal is disposed of in terms of the signed order.

(Neena Verma) (Vijay Dhawan)
Court Master Court Master

Signed order is placed on the file.
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1085 OF 2004
(Arising out of S.L.P.(Crl.) No.41 of 2004)

Engineering Export Promotion Council
...Appellant

Versus

Usha Anand and Anr.
...Respondents

O R D E R

Heard learned counsel for the parties.

Leave granted.

Let the present appellant, if they are so advised, file their objections, if any, to the petition in Criminal Miscellaneous (Main) No.3009 of 2003 in the High Court within three weeks from today. If any objection is filed, the same shall be considered on its own merits by the High Court about which we express no opinion. The Criminal Miscellaneous (Main) No.3009 of 2003 shall be restored to its original position as stood before disposal on 03.12.2003. If no objection is filed, the order passed on 03.12.2003 shall remain operative. The liberty given to the appellant to file a counter shall be also applicable to the CBI.

This order has been passed notwithstanding the stand of the respondents that full liberty was granted to the appellant to file any objection which they failed to avail. Since a specific stand has been taken that the appellant intended to file objections for which it was not granted any opportunity, we have passed the present order.

The appeal is accordingly disposed of.

(ARIJIT PASAYAT)J.

.....J.
(C.K. THAKKER)

New Delhi,
September 27, 2004.