

ITEM NO.202

COURT NO.11

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 (Civil) No(s).23849/2008
(From the judgement and order dated 12/09/2008 in OJA No. 248/2007
in CA No. 504/2007 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

SHRADHHA AROMATICS P.LTD.

Petitioner(s)

VERSUS

OL OF GLOBAL ARYA IND.LTD.& ORS.

Respondent(s)

(With appln(s) for vacating the order of the status quo dated
24.9.2008 and placing addl. documents and impleadment as party
respondent, permission to file additional documents and with prayer
for interim relief and office report) (For Final Disposal)

Date: 10/12/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Mahindra Anand, Sr.Adv.
Mr. Amar Dave, Adv.
Mr. P.S.Sudheer, Adv.
Mr. Rishi Maheshwari, Adv.

For Respondent(s) Mr. Mukul Rohtagi, Sr.Adv.
Mr. Jaideep Gupta, Sr.Adv.
Ms. Savita Singh, Adv.

Mr. Pallav Shishodia, Sr.Adv.
Mr. A. Deb Kumar, Adv.
Mr. Sudarsh Menon, Adv.
Mr. Y. Lokesh, Adv.

Mr. Ratan K. Singh, Adv.
Mr. Ravindra Kumar, Adv.
Mr. Shashank K. Lal, Adv.
Mr. Chirag M.Shroff, Adv.
Mr. Dattatray Vyas, Adv.

UPON hearing counsel the Court made the following

O R D E R

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This petition is directed against judgment dated 12.9.2008 of the Division Bench of the Gujarat High Court in OJ Appeal No.248/2007 whereby order dated 27.11.2007 passed by the learned Single Judge was set aside and the Official Liquidator was directed to complete the formalities for execution of sale deed in favour of respondent No.2 herein.

On 4.10.2010, this Court had, after hearing the parties passed the following order:

"Shri Mahindra Anand, learned senior counsel

appearing for the petitioner gives out that his client is ready to deposit an additional amount of Rs.39 lacs which will make his bid as Rs.2 crores.

Shri Neeraj Kr. Jain, learned senior counsel representing the respondent requests for short time to seek instructions.

Since, the prime dispute between the parties relates to value of the bid given by them, we deem it proper to require both the parties to give their fresh bids in sealed envelope, which shall be produced before the Court on the next date of hearing.

List the case on 25.10.2010.

I.A. No.4/2010 filed by Pradeep Arya s/o Shri Prakashanand Arya, Ex. Director of M/s Global Arya Industries Ltd. shall be considered on the next date of hearing."

In compliance of the aforesaid order, learned counsel for the parties have handed over sealed envelopes, which contain the offers of their respective clients. The envelopes were opened in the Court. We have perused the offers made by the petitioner and

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respondent No.2. The Court Masters are directed to reseal the envelopes.

Shri Pallav Shishodia, learned senior counsel appearing for the promoter says that his client is willing to give a better offer.

In view of the above, hearing of the petition is adjourned to 15.12.2010.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master