

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 (Civil) No(s).27097/2011

(From the judgement and order dated 30/08/2011 in SCA No.885/2010,LPA No.1746/2011 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

HARISH F SHAH

Petitioner(s)

VERSUS

EMPLOYEES P.F.ORGANIZATION & ORS

Respondent(s)

(With prayer for interim relief and office report)

Date: 10/03/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR

HON'BLE MR. JUSTICE C. NAGAPPAN

For Petitioner(s) Mr. Senthil Jagadeesan,Adv.
Mr. Manav Mehta,Adv.
Mr. Govind Manoharan,Adv.

For Respondent(s) Ms. Aruna Gupta,Adv.
Mr. Pranab Kumar Mullick,Adv.
Ms. Soma Mullick,Adv.

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

Heard.

Learned counsel for the petitioner submits, on instructions, that the petitioner is ready and willing to deposit the entire balance amount recoverable from him towards principal and interest levied thereon within three months from today. He submits that subject to deposit of the said amount, this court could stay the execution of the impugned warrant of arrest issued against the petitioner for a period of three months to enable the petitioner to file an appeal challenging the levy of damages. Learned counsel for the respondents has no objection to that limited prayer of the petitioner being allowed.

In the circumstances, therefore, we direct that the petitioner shall deposit within three months from today the entire balance amount recoverable from him towards principal and interest due thereon. We further direct that for a period of three months execution of warrant of arrest issued against the petitioner shall remain stayed. The Petitioner may during this period also challenge the award of damages against him in appeal before the competent Appellate Authority.

We make it clear that in the event of the failure of the petitioner to make the deposit within the time granted, this special leave petition shall stand dismissed. The respondents shall in that case be free to take such action as may be open to them in law including execution of warrant of arrest issued against the petitioner.

The special leave petition is disposed of with the above direction. No cost.

| (Mahabir Singh)
| Court Master

| | (Veena Khara)
| | Court Master

|