

Out today

ITEM NO.2

COURT NO.3

SECTION XIV

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).28325/2010

(From the judgement and order dated 06/09/2010 in FAO No. 205/2000
of The HIGH COURT OF DELHI AT N. DELHI)

NATIONAL AGL.CO-OP MKTG. FEDN OF INDIA

Petitioner(s)

VERSUS

ALIMENTA S.A.

Respondent(s)

(With appln(s) for modification of Court's Order and prayer for
interim relief and office report)

WITH SLP(C) NO. 35065 of 2010

(With appln.(s) for c/delay in filing SLP and office report)

Date: 07/04/2011 This Petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Mr. Shanti Bhushan, Sr. Adv.
Mr. T.K. Ganju, Sr. Adv.
Mr. A.T. Patra, Adv.
Mr. Ramesh Singh, Adv.
Ms. Aradhana Patra, Adv.
M/S. O.P. Khaitan & Co., Adv.

For Respondent(s) Mr. S.K. Dholakia, Sr. Adv.
Mr. Shailendra Swarup, Adv.
Ms. Bindu Saxena, Adv.
Ms. Aparajita Swarup, Adv.
Ms. Neha Khattar, Adv.

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

The petitioner has filed an application (I.A.No.2

2

of 2011) for modification of the interim order dated
24.1.2011. We have heard learned senior counsel for both
the parties. In place of the directions issued on
24.1.2011, we issue the following directions with
reference to interim stay:

(a) The petitioner shall furnish a bank guarantee
for the entire award amount and interest up to date

within twelve weeks from today (less ` 22.5 crores
of which the bank guarantee has already been
furnished in favour of the Registrar, Delhi High
court).

(b) The Registrar, Delhi High Court is directed to enforce and encash the earlier bank guarantee for ` 22.5 crores furnished by petitioner and release the said sum of ` 22.5 crores to the respondent subject to furnishing an unconditional bank guarantee for the said sum.

In view of the above, the execution of the decree is stayed.

I.A.No.2 of 2011 is disposed of accordingly.

List the matter after two weeks.

(O.P. Sharma)
Court Master

(M.S. Negi)
Court Master