

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).2 7 0 0 8 / 2 0 0 8

(From the judgement and order dated 02 / 0 9 / 2 0 0 8 in W P No. 6 1 2 1 / 2 0 0 8 of the HIGH COUR T OF BOM B A Y)

JOY F R O Z E N F O O D S P . L T D .

Petitioner(s)

VER SUS

VI K A S M A D A N G O P A L T U L S I A N & O R S .

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment and prayer for interim relief)

W I T H

SL P(C) 2 7 6 9 3 / 2 0 0 8

(With appln.(s) for exemption from filing c/c of the impugned judgment and prayer for interim relief)

Date: 21 / 1 1 / 2 0 0 8 This Petition was called on for hearing today.

CORAM :

HON' B L E MR. JUS T I C E R.V. RA V E E N D R A N

HON' B L E MR. JUS T I C E J.M. PA N C H A L

For Petitioner(s)

Dr. Rajeev Dhawan, Sr. Adv.

Mr. Dilip Annasheb Taur, Adv.

Mr. Sagar P a w a r , Adv.

Mr. Amol V. Desh mu k h, Adv.

Mr. Ranjith K.C., Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Learned counsel for the petitioner voices an apprehension that paragraph 1 9 & 20 of the order dated 3.7. 2 0 0 8 which was affirmed by the impugned order dated 2.9. 2 0 0 8 is likely to be interpreted by the licensee to contend that there is determination of the electricity liability for a sum of Rs.4 1 , 0 4 , 1 8 5 / - . We find no ground for such apprehension. The said sum is referred to as the amount claimed by the defendant- licensee and not as amount adjudicated to be due to the defendant- licensee.In fact, the2.

-2 -

IT E M NO.2 8+ 5 4 COUR T NO.8 DAT E D 2 1 . 1 1 . 2 0 0 8contd.

Court had specifically stated that the said claim will have to be verified which means verification and determination of the amount due by the licensee towards license fees and the amount due by the licensor towards the electricity dues and adjustment to arrive at the balance due. The petitioner's rights are therefore protected by the orders of the High Court.

We, therefore, find no reasons to interfere. petition is, accordingly, dismissed.

The special leave

(Ravi P. Verma)
Court Master

(Anand Singh)
Court Master