

T.ITEM NO.101

COURT NO.2

SECTION XVII

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Civil Appeal No(s). 565-568/2008

VIDESH SANCHAR NIGAM LTD.

Appellant(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

(with office report)

WITH

C.A. No. 4452-4454/2005

(With Office Report)

C.A. No. 4499-4501/2005

(with Office Report)

C.A. No. 4679-4680/2005

(with Office Report)

C.A. No. 311-318/2008

(with Office Report)

C.A. No. 315-316/2008

(With Office Report)

C.A. No. 4896/2010

(with Office Report)

C.A. No. 6065/2010

(With Office Report)

C.A. No. 6575/2010

(with Office Report)

C.A. No. 6664-6669/2010

(with Office Report)

C.A. No. 10675/2010

(with Office Report)

C.A. No. 10676/2010

(with Office Report)

C.A. No. 4430/2011

(with Office Report)

C.A. No. 258/2012

(with Office Report)

C.A. No. 5572/2012

(with Office Report)

C.A. No. 5574/2012

(with Office Report)

C.A. No. 5575/2012

(with Office Report)

C.A. No. 5576/2012

(with Office Report)

C.A. No. 5582-5583/2012

(with Office Report)

2

C.A. No. 5921/2012

(with Office Report)

C.A. No. 6645/2012

(with Office Report)

C.A. No. 9827/2010

(with Office Report)

Date : 28/02/2017 These appeals were called on for hearing today.

CORAM : HON&#39;BLE MR. JUSTICE DIPAK MISRA

HON&#39;BLE MR. JUSTICE A.M. KHANWILKAR

For Appellant(s) Ms. Sumita Hazarika, AOR

Mr. Ramji Srinivasan, Sr. Adv.

Ms. Ruby Singh Ahuja, Adv.

Ms. Deepti Sarin, Adv.

Ms. Akanksha Munjhal, Adv.

Mr. Karan Dev Chopra, Adv.

Mrs. Manik Karanjawala, Adv.

For M/s. Karanjawala & Co.

Mr. D. S. Mahra, AOR

Mr. Arvind Kumar Sharma, AOR

Mr. B. Krishna Prasad, AOR

For Respondent(s) Mr. P.S. Narsimha, ASG  
Mr. A.K. Panda, Sr. Adv.  
Mr. S. Wasim A. Qadri, Adv.  
Mr. Rajiv Nanda, Adv.  
Ms. Madhurima Dwivedi, Adv.  
Mr. G.S. Makker, Adv.

Mr. Kavın Gulati, Sr. Adv.

Mr. Gopal Jain, Sr. Adv.  
Mr. Tarun Gulati, Adv.  
Mr. Manjul Bajpai, Adv.  
Mr. Anupam Mishra, Adv.  
Ms. Ishita Farsaiya, Adv.  
Mr. Shashwat Bajpai, Adv.  
Mr. Jagjeet Singh, Sahani, Adv.  
Ms. Akriti Shashank, Adv.  
Ms. Bina Gupta, AOR  
Mr. Saumyen Das, Adv.  
Mr. Rajan Narain, AOR  
Mr. Punit Dutt Tyagi, AOR  
Mr. Anupam Singh, Adv.  
Mr. Naveen Kumar, AOR

3

Mr. Abhijeet Shrivastava, Adv.  
Mr. Jayant Kumar Mehta, AOR  
Mr. Kavın Gulati, Sr. Adv.  
Mr. Tarun Gulati, Adv.  
Mr. Manjul Bajpai, Adv.  
Mr. Anupam Mishra, Adv.  
Ms. Ishita Farsaiya, Adv.  
Mr. Praveen Kumar, AOR  
Mr. Shashwat Bajpai, Adv.  
Mr. Praveen Kumar, AOR  
Mr. Upamanyu Hazarika, Sr. Adv.  
Ms. Sumita Hazarika, Adv.  
Mr. Santosh Kumar, Adv.  
Ms. Dharitry Phookan, AOR  
M/s Corporate Law Group, AOR  
Mr. Navnit Kumar, Adv.  
Mr. Kankana Arandhara, Adv.  
Mr. Satish Vig, Adv.  
Mr. Ramji Srinivasan, Sr. Adv.  
Mr. Mansoor Ali Shoket, Adv.  
Mr. Pukhrambam Ramesh Kumar, Adv.  
Mr. Uday Manaktala, Adv.  
Mr. Kunal Singh, Adv.  
Ms. Alvia Ahmed, Adv.

UPON hearing the counsel the Court made the following

#### O R D E R

In the course of hearing, learned counsel for the parties were directed to submit a list with regard to the categories of cases. The four categories have been sorted out by them under the headings &#39;AGR&#39;, &#39;Interest Refund&#39;, &#39;Penalty&#39; and &#39;Method of Accounting&#39;.

Under category one, i.e., AGR, the following cases are included :-

1. Civil Appeal Nos.565-568 of 2008
2. Civil Appeal Nos.311-318 of 2008
3. Civil Appeal No.4430 of 2011
4. Civil Appeal No. 10675 of 2010
5. Civil Appeal No.5921 of 2012

Under category two, i.e., Interest Refund, the following cases

4

are included :-

1. Civil Appeal Nos.4452-4454 of 2005
2. Civil Appeal Nos.4679-4680 of 2005
3. Civil Appeal Nos.4499-4501 of 2005

As far as the heading &#39;Penalty&#39; is concerned, as accepted by

learned counsel for the parties, the following four cases are included :-

1. Civil Appeal Nos.6664-6669 of 2010
2. Civil Appeal No.6065 of 2010
3. Civil Appeal No.4896 of 2010
4. Civil Appeal No.6575 of 2010

As far as the last category, i.e., Method of Accounting is concerned, the following five cases are included :-

1. Civil Appeal No.10676 of 2010
2. Civil Appeal No.5572 of 2012
3. Civil Appeal No.5574 of 2012
4. Civil Appeal No.5575 of 2012
5. Civil Appeal No.5576 of 2012

As far as the rest of the matters which are listed today, i.e.

Civil Appeal Nos.315-316/2008, 258/2012, 5582-5583/2012, 6645/2012 and 9827 of 2010 are concerned, they may be put in another category.

In view of the aforesaid, we think it appropriate first to hear the matters relating to 'AGR'. Let the Civil Appeal Nos. 565-568/2008, 311-318/2008, 4430/2011, 10675/2010 and 5921/2012 be listed in the week commencing 20.3.2017.

As far as the matters relating to second category, i.e., 'Interest Refund' are concerned, they may be listed in the week commencing 3.4.2017. The matters falling in third category, i.e., 'Penalty' be listed in the week commencing 17.4.2017. As far as the matters falling in fourth category, i.e., 'Method of Accounting' are concerned, they be listed in the week commencing 10 th July, 2017.

5

Rest of the matters shall be listed in the week commencing 1.8.2017.

Learned counsel for the parties are permitted to file additional documents/affidavits, if so advised.

(Gulshan Kumar Arora) (H.S. Parasher)

Court Master Court Master