

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).16408-16409/2013

(From the judgement and order dated 10/01/2013 in EP
No.9/2011,OMP No.12/2012 of The HIGH COURT OF H.P. AT
SHIMLA)

H.P. POWER CORPORATION LTD. Petitioner(s)

VERSUS

BAHU FORT COLONIZERS PVT. LTD. Respondent(s)

(With prayer for interim relief and office report)

Date: 29/04/2014 These Petitions were called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA
HON'BLE MR. JUSTICE RANJAN GOGOI

For Petitioner(s) Ms. Pragati Neekhara,Adv.

For Respondent(s) Mr. Vivek Kohli, Adv.
Mr. Lokesh Bhola, Adv.
Mr. Zorawar Singh, Adv.
Mr. Subramonium Prasad,Adv.

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

Heard learned counsel for the parties.
We agree with the finding of the High Court that
in the execution proceeding it is not open for the
judgment-debtor (Petitioner herein) to appropriate sum(s)
of money regarding which no reasons for rejection of

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material were conveyed to the decree holder and thereby
appropriation of Rs.17,99,079/-.

We accordingly dismiss the special leave
petitions. However, the impugned order passed by the High
Court and this Hon'ble Court should not come in the way
of petitioner to communicate the reasons for rejection of
the material conveyed to the decree holder and after
notice and hearing they may pass appropriate orders in
case any amount is payable by decree holder pursuant to
delayed supply.

(Geeta Ahuja)
Sr.P.A.

(Usha Sharma)
Court Master

