

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).7012/2014

(From the judgement and order dated 18/11/2013 in SBCMA No. 1861/2012 of
The HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR)

SHREE CEMENT LTD

Petitioner(s)

VERSUS

RAJASTHAN RAJYA VIDYUT UTPADAN NIGAM LTD

Respondent(s)

(With application for exemption from filing Official Translation, prayer
for interim relief and office report)

Date: 24/03/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. PATNAIK

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s)

Mr. U.A. Rana, Adv.

Ms. Mrinal Elkar Mazumdar, Adv.

For M/S Gagrat & Co., Advs.

For Respondent(s)

Mr. K.K. Venugopal, Sr. Adv.

Mr. R.K. Agarwal, Sr. Adv.

Mr. Ajay Choudhary, Adv.

Mr. Ankit R. Kothari, Adv.

Mr. Ajay Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

Issue notice.

Tag with SLP(C) NO. 37702 of 2013 and other connected
matters.

As an interim measure, we direct that the respondent-Nigam will sell fly ash to
the petitioner at the rate of Rs. 250 per MT and the question as to whether the
petitioner will be entitled to refund of the said Rs. 250/- per MT or any
lesser amount will be considered at a later stage.

We, however, clarify that in case the petitioner does not lift the entire
quantity of fly ash and leave some balance of the fly ash, it will be open for
the respondent-Nigam to sell the balance fly ash to other parties in order to
prevent pollution in the area.

This matter will be listed along with SLP(C) NO. 37702 of 2013 and other
connected matters on Friday the 28th March, 2014.

[KALYANI GUPTA]
COURT MASTER

[SHARDA KAPOOR]
COURT MASTER