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T.C.(C)No. 92-95 OF 2002  
ITEM No.1-A COURT NO.10 SECTION XVIA  
(FOR JUDGMENT)

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

Transferred Case (Civil) Nos. 92-95/2002

Mardia Chemicals Ltd. Etc. Etc.Petitioner (s)

VERSUS

U.O.I. & Ors. Etc. Etc.

Respondent (s)

WITH

WP(C) No. 140/2003 (M/s. Ashok Mfg. Co. Pvt. Ltd. & Ors. vs. Union of India & Anr.)

WP(C) No. 649/2002 (Major Mahajan Mandal & Ors. vs. Union of India

WP(C) No. 673/2002 (Supreme Rubber Industries vs. Union of India & Anr.)

TC(C) No. 10/2003 (Modern Terry Towels Ltd. & Ors. vs. State of Rajasthan & Ors.)

WP(C) No. 322/2003 (Sohanlal Rara vs. Union of India & Ors.)

TC(C) No. 46/2003 (J.K. Udaipur Udyog Ltd. vs. U.O.I. & Anr.)

WP(C) No. 643/2002 (Shree Synthetics Ltd. & Anr. vs. Union of India & Ors.)

TC (C)No. 12/2003 (Sobhag Textiles Ltd. vs. Union of India & Anr.)

WP(C) No. 48/2003 (M/s. REL Industries Ltd. vs. Union of India & Ors.)

C.A. NO...../2004 (arising out SLP(C) No. 5013/2003  
(M/s. Oriental Motors & Anr. vs. Punjab & Sind Bank & Anr.)

WP(C) No. 176/2003 (M/s. Mahendra Commercial Ltd. & Anr. vs. Union of India & Anr.)

WP(C) No. 190/2003 (H.R. Brothers & Ors. vs. Union of India & Anr.)

WP(C) No. 219/2003 (M/s. Tirthankar Agro & Ors. vs. Union of India & Anr.)

C.A.No...../2004 (arising out of SLP(C) No.9658/2003)  
(Citisteel Corporation & Ors. vs. Union of India & Anr.)

WP(C) No. 147/2003 (M/s. Punjab Breeders Ltd. vs. Union of India &Ors.)

TP(C) No. 326/2003 (Bank of Rajasthan Ltd. vs. Naresh Kumar Nevatia & Ors.)

WP(C) No. 279/2003 (Euro India Biotech Ltd. & Ors. vs. Union of India & Ors.)

WP(C) No. 231/2003 (Pradeep Sohawala vs. Union of India & Ors.)

C.A.NO...../2004 (arising out of SLP(C) 11089/2003)  
(M/s. Rudra Informatics & Ors. vs. Prudential Co-op. Bank Ltd. & Anr.)

WP(C) No. 292/2003 (Patheja Brothers Forgings & Stampings & Anr. vs. U.O.I. & Anr.)

C.A.No...../2004 (arising out of SLP(C) 11267/2003)  
(M/s. Haji Abdul Hameed & Ors. vs. Central Bank of India & Ors.)

C.A.No...../2004 (arising out of SLP(C) 11268/2003)  
(M/s. Etawah Sales Corporation & Ors. vs. Central Bank of India & Ors.)

TP(C) 403/2003 (Bank of Rajasthan vs. R.K. Garg & Sons (HUF))

WP(C) No. 379/2003 (M/s. Verma Cards & Posters Pvt. Ltd. & Ors. vs. Union of India & Anr.)

C.A.No...../2004 (arising out of SLP(C) 15566/2003)  
(N.C. Jain vs. Bank of Baroda & Ors.)

TC 11/2003 (Soni Tourism Pvt. Ltd. & Ors. vs. U.O.I. & Anr.)

WP(C) No. 366/2003 (G.V. Venkateshaiah vs. State Bank of India & Ors.)

WP(C) No. 541/2002 (M/s. Amulet International Pvt.Ltd. & Ors. vs. Union of India & Anr.)

C.A.No...../2004 (arising out of SLP(C) No. 17465/2003)  
(M/s.Deep Chand Sushil Kumar and Ors. vs. Central Bank of India & Anr.)

WP(C) No. 477/2003 (M/s. Rama Steel Industries & Ors. vs. Union of India & Anr.)

WP(C) No. 496/2003 (M/s. Pahadewali Ispat Pvt. Ltd. & Anr.vs. Union of India & Anr.)

WP(C) No. 499/2003 (M/s. K.P.J. Tradevest Pvt. Ltd. & Anr. vs. Union of India & Ors.

TP(C) No. 756/2003 (M/s. Vaishno Cold Storage & Ors. vs. Union of India & Anr.)

WP(C) No. 545/2003 (M/s Madhumilan Syntex Ltd. & Anr. vs. Union of India & Anr.)

WP(C) No. 557/2003 (J.K. Jain & Ors. vs. Union of India & Anr.)

C.A.NO...../2004 (arising out of SLP(C) .../2003 (CC10728)  
(M/s. Suneeta Wool & Readymade Emporium vs. Allahabad Bank, Jhansi

C.A.NO...../2004 (arising out of SLP(C) No. 6723/2003)  
(Pushpinder Kaur & Anr. vs. Punjab and Sind Bank & Anr.)

WP(C) No.590/2003 -  
M/s. Nabe International & Ors. vs. Union of India & anr.

WP(C) No.13/2004 - Kanti Devi & Anr. vs. Union of India & Ors.

WP(C) No. 546/2003 (M/s. Akal Springs Ltd. vs. Union of India & Anr.)

(HEARD BY HON'BLE THE CJI, HON'BLE BRIJESH KUMAR AND ARUN KUMAR, JJ)

DATE: 08/04/2004 These matter(s) were called on for pronouncement of Judgment today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE BRIJESH KUMAR  
HON'BLE MR. JUSTICE ARUN KUMAR

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in TC 92-95

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Mr. Brijesh Kalappa, Adv.

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Mr. B Devasekhar, Adv.

Mr. Ravi Ashri, Adv.

in WP 649Mr. P K Manohar, Adv.

in WP 673Mr. Ajay Choudhary, Adv.

in TC 10Mr. Paras Kuhad, Adv.

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Mr. Krishan Kumar Gogna, Adv.  
Ms. Nandini Gore, Adv.  
Ms. Padmalakshmi Nigam, Adv.  
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in WP 322Mr. Shakeel Ahmed, Adv.

in TC 46Mr. A T Patra, Adv.

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in WP 643Mr. Prateek Jalan, Adv.

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Ms. Sonal Tripathi, Adv.  
Ms. Indra Sawhney, Adv.

in TC 12Mr. V Sudeer, Adv.

Mr. M B Rama Subba Raju, Adv.  
Mr. Balaji Srinivasan, Adv.

in SLP 5013Mr. Bhupender Yadav, Adv.

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Mr. R C Kohli, Adv.

in WP 176 & 190Mr. Tripurari Ray, Adv.

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in WP 219Mr. P D Sharma, Adv.

in SLP 9658Mr. Ashish Dholakia, Adv.

Ms. Sumita Hazarika, Adv.

in WP 147Mr. Manoj Swarup, Adv.

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in TP 326Ms. Suruchii Aggarwal, Adv.

in WP 279Mr. P N Puri, Adv.

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in WP 292Mr. Mahesh Agarwal, Adv.  
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Ms. Sonal Tripathi, Adv.  
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in SLP 15566Mr. Jitendra Mohan Sharma, Adv.

in TC 11Mr. Manoj Swarup, Adv.  
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Mr. Anubhav Kumar, Adv.  
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in WP 366Mr. S N Bhat, Adv.

in WP 541Ms. Radha Rangaswamy, Adv.  
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in WP 477 & 496Mr. Nikhil Nayyar, Adv.

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in TP 756Mr. Atul Sharma, Adv.

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in SLP CC10728Mr. Pramod Swarup, Adv.

Mr. Uday Gupta, Adv.

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in SLP 6723Mr. Bhupender Yadav, Adv.

Ms. Babita Yadav, Adv.

Mr. R C Kohli, Adv.

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Mr. Manish Singhvi, Adv.

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(for learned Attorney General)

Union of India

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Ms. Sushma Suri, Adv.

in TC 92-95

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in WP 140Mr. Rajeev Sharma, Adv.

Mr. Deepak Goel, Adv.

in WP 673Mr. Rajeev Sharma, Adv.

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in TC 10Ms. P S Shroff, Adv.

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Ms. Sayali Phatak, Adv.

Ms. Rashi Malhotra, Adv.

Ms. Ruchi A Mahajan, Adv.

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Mr. Mohit Chaudhary, Adv.

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in SLP 5013Mr. G S Sistani, Adv.

Mr. Rajender Wali, Adv.

Mr. Rakesh Singh, Adv.

Mr. Arun K Sinha, Adv.

in WP 176 & 190Mr. Sanjay R Hegde, Adv.

Mr. P S Shetty, Adv.

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in WP 219Mr. L Nageswara Rao, ASG

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in SLP 9658Mr. Janendra Lal, Adv.

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in TP 326Mr. V Ramasubramanian, Adv

in WP 279Mr. M.T. George, Adv.

Ms. Kamini Jaiswal, Adv.

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in WP 231Mr. R N Keshwani, Adv.

in WP 292Ms. P S Shroff, Adv.

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Ms. Sayali Phatak, Adv.

Ms. Rashi Malhotra, Adv.

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in SLP 11267 & 11268Ms. S Janani, Adv.

Ms. Reena Kumar, Adv.

in TP 403Mr. Akhil Sibal, Adv.

Mr. S U K Sagar, Adv.

Ms. Bina Madhavan, Adv.

Ms. Pooja Nanekar, Adv.

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in TC 11 & WP 366Mr. Sanjay Kapur, Adv.

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in WP 541Mr. N S Sistani, Sr. Adv.

Mr. G S Sistani, Adv.

Mr. Rajender Wali, Adv.

Mr. Rakesh Singh, Adv.

Mr. Arun K Sinha, Adv.

Mr. D K Sinha, Adv.

in SLP 17465Ms. Jayashree Wad, Adv.

Mr. Ashish Wad, Adv.

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Mr. Anshu Bhanot, Adv.

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Mr. Venkateswara Rao Anumolu, Adv.

in SLP CC10728Mr. Ashok Kumar Jain, Adv.

Mr. B K Jain, Adv.

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in WP 557Mr. Bijoy Kumar Jain, Adv.

Mr. Ashok Kumar Jain, Adv.

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in SLP 6723Mr. G S Sistani, Adv.

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Ms. Shilpi Jha, Adv.

Ms. Nina Gupta, Adv.

Ms. Bina Gupta, Adv.

(for Indian Banks' Assn.)

Mr. Rajiv Mehra, Adv.

Mr. M Dutta, Adv.

Mr. Rajiv Mehta, Adv.

(for Debts Recovery Appellate Tribunal  
Bar Association)

Hon'ble Mr. Justice Brijesh Kumar pronounced the Judgment of the Court.

Leave granted.

The transfer cases, transfer petitions, writ petitions and the appeals stand partly allowed to the extend indicated in the signed Judgment.

Costs easy.

The Judgment is reportable.

(A.S. BISHT)  
COURT MASTER

(S. MALKANI)  
ASSISTANT REGISTRAR

(Signed Judgment is place on the file)