

ITEM No.301(Part Heard)
and ITEM No.302 and
ITEM No.303

Court No. 1

SECTION XVIA

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

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

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

VERSUS

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

Respondent (s)

(with appln.(s) for stay and intervention) (For Final Disposal)

with

WP(C) No. 140/2003 (M/s. Ashok Mfg. Co. Pvt. Ltd. & Ors. vs. Union of India & Anr.) (with appln.(s) for stay and directions)

WP(C) No. 649/2002 (Majoor Mahajan Mandal & Ors. vs. Union of India (with appln.(s) for stay and office report)

WP(C) No. 673/2002 (Supreme Rubber Industries vs. Union of India & Anr.) (with appln.(s) for stay and office report)

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

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

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.) (with appln.(s) for stay and office report)

TC (C)No. 12/2003 (Sobhag Textiles Ltd. vs. Union of India & Anr.) (with appln.(s) for permission)

WP(C) No. 48/2003 (M/s. REL Industries Ltd. vs. Union of India & Ors.) (with appln.(s) for stay and office report) (For Final Disposal)

SLP(C) No. 5013/2003 (M/s. Oriental Motors & Anr. vs. Punjab & Sind Bank & Anr. (With prayer for interim relief and Office Report)

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

WP(C) No. 190/2003 (H.R. Brothers & Ors. vs. Union of India & Anr.) (with appln.(s) for stay)

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

SLP(C) No.9658/2003 (Citisteel Corporation & Ors. vs. Union of India & Anr.) (with appln.(s) for permission to submit addl. documents and with

prayer for interim relief)

WP(C) No. 147/2003 (M/s. Punjab Breeders Ltd. vs. Union of India & Ors.)
(with appln.(s) for stay and office report)

TP(C) No. 326/2003 (Bank of Rajasthan Ltd. vs. Naresh Kumar Nevatia
& Ors.) (with appln.(s) for stay and directions and office report)

WP(C) No. 279/2003 (Euro India Biotech Ltd. & Ors. vs. Union of India
& Ors.) (with appln.(s) for stay and office report) (For Final Disposal)

WP(C) No. 231/2003 (Pradeep Sohawala vs. Union of India & Ors.)
(with appln.(s) for stay and office report)

SLP(C) 11089/2003 (M/s. Rudra Informatics & Ors. vs. Prudential Co-op.
Bank Ltd. & Anr.) (With prayer for interim relief)

WP(C) No. 292/2003 (Patheja Brothers Forgings & Stampings & Anr. vs.
U.O.I. & Anr.) (with appln.(s) for interim stay and office
report)

SLP(C) 11267/2003 (M/s. Haji Abdul Hameed & Ors. vs. Central Bank of
India & Ors.) (With prayer for interim relief)

SLP(C) 11268/2003 (M/s. Etawah Sales Corporation & Ors. vs. Central Bank
of India & Ors.) (With prayer for interim relief)

TP(C) 403/2003 (Bank of Rajasthan vs. R.K. Garg & Sons (HUF))
(with appln.(s) for stay)

WP(C) No. 379/2003 (M/s. Verma Cards & Posters Pvt. Ltd. & Ors. vs.
Union of India & Anr.) (with appln.(s) for ex-parte stay)

SLP(C) 15566/2003 (N.C. Jain vs. Bank of Baroda & Ors.) (With prayer
for interim relief)

TC 11/2003 (Soni Tourism Pvt. Ltd. & Ors. vs. U.O.I. & Anr.)
(with appln.(s) for appointment of Receiver)

WP(C) No. 541/2002 (for prel. hearing) (M/s. Amulet International Pvt.
Ltd. & Ors. vs. Union of India & Anr.) (with appln.(s) for directions
and exemption from filing c/c of the impugned judgment and stay with
office report)

SLP(C) No. 17465/2003 (M/s. Deep Chand Sushil Kumar and Ors. vs.
Central Bank of India and Anr.) (with appln.(s) for directions and
urging adtl. grounds and with prayer for interim relief)

WP(C) No. 477/2003 (M/s. Rama Steel Industries & Ors. vs. Union of
India & Anr.) (with appln.(s) for stay and office report)

WP(C) No. 496/2003 (M/s. Pahadewali Ispat Pvt. Ltd. & Anr. vs. Union of
India & Anr.) (with appln.(s) for ex-parte stay)

WP(C) No. 499/2003 (M/s. K.P.J. Tradevest Pvt. Ltd. & Anr. vs. Union
of India & Ors. (with appln.(s) for stay and office report)

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WP(C) No. 546/2003 (for prel. Hearing) (M/s. Akal Springs Ltd.
vs. Union of India & Anr.) (with appln.(s) for ex-parte stay and
office report)

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WP(C) No. 545/2003 (M/s Madhumilan Syntex Ltd. & Anr. vs. Union of India & Anr.) (with appln.(s) for stay and office report)

WP(C) No. 557/2003 (J.K. Jain & Ors. vs. Union of India & Anr.) (with appln.(s) for ex-parte stay and office report)

TP(C) No. 756/2003 (M/s. Vaishno Cold Storage & Ors. vs. Union of India & Anr.) (with appln.(s) for ex-parte stay and office report)

SLP(C) .../2003 (CC10728) (M/s. Suneeta Wool & Readymade Emporium vs. Allahabad Bank, Jhansi (with appln.(s) for c/delay in filing SLP and office report)

Date: 07/01/2004 This/These matter(s) was/were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE BRIJESH KUMAR

HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner (s)

in TC 92-95Mr. Kapil Sibal, Sr. Adv.

Mr. Sunil Kumar Jain, Adv.

Mr. S Borthakur, Adv.

Mr. Ansar Ahmad Chaudhary, Adv.

in WP 140Mr. B Devasekhar, Adv.

Ms. Radha Rangaswamy, Adv.

in WP 649Mr. P K Manohar, Adv.

in WP 673Mr. Ajay Choudhary, Adv.

in TC 10Mr. P. Chidambaram, Sr. Adv.(on 7.1.2004)

Mr. Paras Kuhad, Adv.

Mr. R N Karanjawala, Adv.

Mr. Hrishikesh Baruah, Adv.

Mr. Gaurav Khanna, Adv.

Mr. Arunabh Chowdhury, Adv.

Ms. Manik Karanjawala, Adv.

Mr. Krishan Kumar Gogna, Adv.

Ms. Nandini Gore, Adv.

in WP 322Mr. Shakeel Ahmed, Adv.

in TC 46Mr. A T Patra, Adv.

Mr. Nipun Malhotra, Adv.

for M/s. O P Khaitan & Co., Adv.

in WP 643

Mr. Siddharth Bhatnagar, Adv.

Mr. Nirnimesh Dube, Adv.

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.

Mr. S Srinivasan, Adv.
Ms. S Sunita, Adv.

in WP 48Ms. Kirti Mishra, Adv.

in SLP 5013Mr. Bhupender Yadav, Adv.
Mr. R C Kohli, Adv.

in WP 176 & 190Mr. Tripurari Ray, Adv.
Mr. Vishwajit Singh, Adv.
Mr. Ritesh Agrawal, Adv.

in WP 219Mr. P D Sharma, Adv.

in SLP 9658Mr. S K Dholakia, Sr. Adv.
Mr. Ashish Dholakia, Adv.
Ms. Sumita Hazarika, Adv.

in WP 147Mr. Manoj Swarup, Adv.
Mr. Uday Gupta, Adv.

in TP 326Ms. Suruchii Aggarwal, Adv.

in WP 279Mr. P N Puri, Adv.

in WP 231Mr. Balaji Srinivasan, Adv.
Mr. V Sudeer, Adv.
Mr. M B Rama Subba Raju, Adv.
Mr. S Srinivasan, Adv.
Ms. S Sunita, Adv.

in SLP 11089Mr. Y Raja Gopala Rao, Adv.

in WP 292Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agarwal, Adv.
Mr. Vivek Yadav, Adv.
Mr. E C Agrawala, Adv.

in SLP 11267 & 11268Mr. M J S Rupal, Adv.
Mr. Madhup Singhal, Adv.
for M/s. Gagrat & Co., Adv.

in TP 403Ms. Suruchii Aggarwal, Adv.

in WP 379Mr. Siddharth Bhatnagar, Adv.
Mr. Nirnimesh Dube, Adv.
Ms. Sonal Tripathi, Adv.
Ms. Indra Sawhney, Adv.

in SLP 15566Mr. Jitendra Mohan Sharma, Adv.

in TC 11Mr. Manoj Swarup, Adv.
Ms. Lalita Kohli, Adv.
Mr. Anubhav Kumar, Adv.
for M/s. Manoj Swarup & Co., Adv.
Mr. Ashok Kumar Gupta, Adv. (NP)

in WP 541Mr. B Devasekhar, Adv.
Ms. Radha Rangaswamy, Adv.

in SLP 17465Mr. Sunil Kumar Jain, Adv.
Mr. S Borthakur, Adv.
Mr. Ansar Ahmad Chaudhary, Adv.

in WP 477 & 496Mr. Nikhil Nayyar, Adv.

in WP 499Mr. V K Munshi, Sr. Adv.
Ms. Shobha, Adv.
Mr. Manoj Sharma, Adv.
Ms. Sheetal Aggarwal, Av.
Mr. Manish Jain, Adv.

in WP 546Mr. Bhaskar P Gupta, Sr. Adv.
Mr. Prem Malhotra, Adv.

in WP 545 & 557Mr. Sunil Kumar Jain, Adv.
Mr. S Borthakur, Adv.
Mr. Kamal Mohan Gupta, Adv.
Mr. Ansar Ahmad Choudhary, Adv.

in TP 756Mr. Atul Sharma, Adv.
Mr. Praveen Jain, Adv.

in SLP CC10728Mr. Pramod Swarup, Adv.
Mr. Uday Gupta, Adv.
Mr. Vivek Narayan, Adv.

For Respondent (s)
Mr. Soli J Sorabjee, Attorney General
Mr. Saurabh Kirpal, Adv.
Mr. Rajiv Shakdhar, Adv.
Mr. Manish Singhvi, Adv.
Ms. Sushma Suri, Adv.

Union of IndiaMr. Soli J Sorabjee, Attorney General
Mr. Saurabh Kirpal, Adv.
Mr. Manish Singhvi, Adv.
Ms. V Mohana, Adv.
Ms. Sushma Suri, Adv.

in TC 92-95
L.I.C.Mr. T R Andhyarujina, Sr. Adv.
I.C.I.C.I.Mr. Harish N Salve, Sr. Adv.
Ms. P S Shroff, Adv.
Mr. Sunil Dogra, Adv.
Ms. Rashi Malhotra, Adv..
for M/s. Suresh A Shroff & co., Advs.

I.D.B.I.Dr. A M Singhvi, Sr. Adv.
Mr. Vikram B Trivedi, Adv.
Mr. Bharat Sangal, Adv.
Ms. Sangeeta S Panicker, Adv.
Mr. R R Kumar, Adv.

Mr. Pranab Kumar Mullick, Adv.

in WP 140Mr. Rajeev Sharma, Adv.
Mr. Deepak Goel, Adv.

in WP 673Mr. Rajeev Sharma, Adv.
Mr. Rameshwar Prasad Goyal, Adv.

in TC 10Ms. P S Shroff, Adv.
Mr. S H Bhujani, Adv.
Mr. Sunil Dogra, Adv.
Ms. Sayali Phatak, Adv.
Ms. Rashi Malhotra, Adv.
Ms. Ruchi A Mahajan, Adv.
for M/s. Suresh A Shroff & co., Advs.

Ms. Sandhya Goswami, Adv.
Mr. M P S Tomar, Adv.
Mr. V Maheshwari, Adv.

in WP 322Ms. P S Shroff, Adv.
Mr. S H Bhujani, Adv.
Mr. Sunil Dogra, Adv.
Ms. Sayali Phatak, Adv.
Ms. Rashi Malhotra, Adv.
Ms. Ruchi A Mahajan, Adv.
for M/s. Suresh A Shroff & co., Advs.
Mr. Sunil Kumar Jain, Adv.

in TC 46Ms. P S Shroff, Adv.
Mr. S H Bhujani, Adv.
Mr. Sunil Dogra, Adv.
Ms. Sayali Phatak, Adv.
Ms. Rashi Malhotra, Adv.
Ms. Ruchi A Mahajan, Adv.
for M/s. Suresh A Shroff & co., Advs.

in WP 643Mr. L Nageswara Rao, ASG
Mr. O P Gaggar, Adv.

Mr. Dhruv Mehta, Adv.
Mr. Mohit Chaudhary, Adv.
Ms. Shalini Gupta, Adv.
for M/s. K L Mehta & Co., Advs.

in TC 12Mr. Pradeep Divan, Adv.
Mr. Pramod B Agarwala, Adv.
Mr. Anurag Pratap, Adv.
Ms. Praveena Gautam, Adv.
Mr. Manmohan Sharma, Adv.
Mr. Navin Kumar, Adv.

in WP 48Mr. Dhruv Mehta, Adv.
Mr. Mohit Chaudhary, Adv.
Ms. Shalini Gupta, Adv.
for M/s. K L Mehta & Co., Advs.

in SLP 5013Mr. N S Sistani, Sr. Adv.
Mr. G S Sistani, Adv.
Mr. Rajendra Wali, Adv.
Mr. Rakesh Singh, Adv.
Mr. Arun K Sinha, Adv.

in WP 176 & 190Mr. Sanjay R Hegde, Adv.
Mr. P S Shetty, Adv.
Mr. Anil K Misra, Adv.

in WP 219Mr. L Nageswara Rao, ASG
Mr. O P Gaggar, Adv.

in SLP 9658Mr. Janendra Lal, Adv.
Ms. Yasmine Tarapore, Adv.
Ms. Divya Lal, Adv.
for M/s. Janendra Lal & Co., Advs.

in WP 147Mr. N S Sistani, Sr. Adv.
Mr. G S Sistani, Adv.
Mr. Rajendra Wali, Adv.
Mr. Rakesh Singh, Adv.

Mr. Arun K Sinha, Adv.

in TP 326Mr. V Ramasubramanian, Adv

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

Ms. Kamini Jaiswal, Adv.

Ms. Shomila Bakshi, Adv.

Ms. Barooah, Adv..

in WP 231Mr. R N Keshwani, Adv.

in WP 292Ms. P S Shroff, Adv.

Mr. S H Bhujani, Adv.

Mr. Sunil Dogra, Adv.

Ms. Sayali Phatak, Adv.

Ms. Rashi Malhotra, Adv.

Ms. Ruchi A Mahajan, Adv.

for M/s. Suresh A Shroff & co., Adv.

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

Ms. Reena Kumar, Adv.

in TP 403Mr. Kapil Sibal, Sr. Adv.

Mr. Akhil Sibal, Adv.

Mr. S U K Sagar, Adv.

Ms. Bina Madhavan, Adv.

Ms. Pooja Nanekar, Adv.

for M/s. Lawyer's Knit & Co., Adv.

In SLP 15566Mr. Arun Aggarwal, Adv.

(for Bank of Baroda)

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

Mr. Rajiv Kapur, Adv.

Ms. Shubhra Kapur, Adv.

Mr. Sanjeev Kumar, Adv.

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

Mr. G S Sistani, Adv.

Mr. Rajendra 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.

Ms. Yugandhara Jha, Adv.

Mr. Anshu Bhanot, Adv.

in WP 477 & 496Mr. Satyajit A Desai, Adv.

Mr. Venkateswara Rao Anumolu, Adv.

in SLP CC10728Mr. Ashok Kumar Jain, Adv.

Mr. B K Jain, Adv.

Mr. Pankaj Jain, Adv.

in WP 557Mr. Bijoy Kumar Jain, Adv.

Mr. Ashok Kumar Jain, Adv.

Mr. Pankaj Jain, Adv.

Mr. Rakesh Jain, Adv.

For Indian Banks Assn.Ms. Arpita Mahajan, Adv.

Ms. Pooja Bhatnagar, Adv.

Ms. Shilpi Jha, Adv.
Ms. Nina Gupta, Adv.
Ms. Bina Gupta, Adv.

For Applicant(s)
in TC 92-95Mr. S S Ray, Adv.

Ms. Rakhi Ray, Adv.
(for Bank of India)

Ms. Bina Gupta, Adv.

Mr. Rajiv Mehra, Adv.
Mr. M Dutta, Adv.
Mr. Rajiv Mehta, Adv.

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

Mr. Soli J Sorabjee, learned Attorney General resumed his submissions at 12.30 P.M. and concluded at 3.30 P.M. Thereafter, Mr. Harish N Salve, learned senior counsel appearing for I.C.I.C .I. commenced his arguments and was on his legs when the Court rose of the day.

List the matters tomorrow/8.1.2004 as part-heard.

(D.P. WALIA) (JANKI BHATIA)
COURT MASTER COURT MASTER

ITEM NO. 302 COURT NO. 1 DATE :8.1.2004
(Part-Heard)

CORAM & APPEARANCE : SAME AS ON 7.1.2004

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

The learned counsel for the parties are agreed that these cases may be listed on 13th & 14th January, 2004. If further arguments of the learned Attorney General are required, he would be heard on 20th January, 2004. List accordingly.

(D.P. WALIA) (JANKI BHATIA)
COURT MASTER COURT MASTER