



**COMPETITION APPELLATE TRIBNAL**

**RTPE No. 49/2008**

**CORAM**

**Hon'ble Dr. Justice Arijit Pasayat  
Chairman**

**Hon'ble Mr. Rahul Sarin  
Member**

**Hon'ble Ms. Pravin Tripathi  
Member**

**IN THE MATTER OF**

V. T. Korde ....Complainant

*Versus*

Bisleri International Pvt. Ltd. ...Respondent

**Appearances:** Complainant in person

**ORAL ORDER**  
04-03-2010

Since the order dated 18<sup>th</sup> September, 2009 has not been complied with, the petition stands dismissed.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**UTPE No. 87/2005**

**CORAM**

**Hon'ble Dr. Justice Arijit Pasayat  
Chairman**

**Hon'ble Mr. Rahul Sarin  
Member**

**Hon'ble Ms. Pravin Tripathi  
Member**

**IN THE MATTER OF**

Kay Bee Overseas (P) Ltd. &Ors.

....Complainants

*Versus*

H.S.I.D.C. & anr.

...Respondents

**Appearances:**

Mr. R. K. Kapoor with Mr. Romil Pathak, Advocates for the  
Complainant  
Mr. Ravinder Bana, Advocate for the respondent

**ORAL ORDER**

04-03-2010

It is stated that there are three connected matters. All the matters are not on the list. Let all the three matters i.e. UTPE No. 87/2005, UTPE No. 88/2005 and UTPE No. 27/2004 be listed on 24<sup>th</sup> May, 2010.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**R.A. \_\_\_\_\_ /**  
**RTPE No. 323/1996**

**CORAM**

**Hon'ble Dr. Justice Arijit Pasayat**  
**Chairman**

**Hon'ble Mr. Rahul Sarin**  
**Member**

**Hon'ble Ms. Pravin Tripathi**  
**Member**

**IN THE MATTER OF**

Shobha Rani Jain .....Complainant

*Versus*

D. D. A. ...Respondent

**Appearances:** Mr. Kapil Gupta, Advocate for the Complainant  
Mr. Sunil Malhotra, Advocate for the respondent

**ORAL ORDER**  
**04-03-2010**

List the matter on 20<sup>th</sup> April, 2010.

**[Dr. Arijit Pasayat]**  
**Chairman**

**[Rahul Sarin]**  
**Member**

**[Pravin Tripathi]**  
**Member**

**COMPETITION APPELLATE TRIBNAL**

**RTPE No. 270/1995**

**CORAM**

**Hon'ble Dr. Justice Arijit Pasayat  
Chairman**

**Hon'ble Mr. Rahul Sarin  
Member**

**Hon'ble Ms. Pravin Tripathi  
Member**

**IN THE MATTER OF**

D. G. ( I & R )

....Complainant

*Versus*

B. S. E. S. Rajdhani Power Ltd.

...Respondent

**Appearances:**

Mr. V. K. Mehta, Advocate for the DG (I&R)

Mr. Mansoor Ali and Mr. Apoorva Misra, Advocates for the  
respondent

**ORAL ORDER**

04-03-2010

We have perused the order passed by the Delhi Electricity Regulatory Commission (in short the "DERC") in petition No. 84/2004. Earlier it appears that the matter was getting adjourned as the matter was pending before the DERC. Now, the decision of the DERC is available. The matter shall be heard on merits.

List the matter on 13<sup>th</sup> May, 2010.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**C.A. No. 45/2004**

**CORAM**

**Hon'ble Dr. Justice Arijit Pasayat  
Chairman**

**Hon'ble Mr. Rahul Sarin  
Member**

**Hon'ble Ms. Pravin Tripathi  
Member**

**IN THE MATTER OF**

Rakesh Kumar Yadav

....Applicant

*Versus*

JHV Construction Company Pvt. Ltd.

...Respondent

**Appearances:**

Mr. Arun Yadav, Advocate for the Applicant  
None for the respondent

**ORAL ORDER**

04-03-2010

Heard the learned counsel for the applicant. None appears for the respondent. It appears from the order dated 29<sup>th</sup> May, 2009 that the respondent was set ex-parte because of continued non-appearance. The prayers in the Compensation Application were for compensation on account of failure to deliver the possession of the flat. The prayer was also made that apart from the compensation a direction should be given for delivery of possession. The prayer for direction to deliver the possession cannot be entertained in view of the decision of the Hon'ble Supreme Court in the matter of ***Ghaziabad Development Authority versus Ved Prakash Aggarwal*** in Civil Appeal No. 794 of 2001. However, there is substance in another plea. In any event, the applicant is entitled to refund of the amount with interest. It appears from the record that the applicant has made the payment of Rupees Nine lacs in different installments. The respondent is directed to refund the said amount along with interest @7.5% per annum from the date of deposit of the installments till the amount actually paid. The payment shall be made within a period of two months. The application is disposed of.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**[Pravin Tripathi]  
Member**



**COMPETITION APPELLATE TRIBNAL**

**C.A. No. 42/2004**

**CORAM**

**Hon'ble Dr. Justice Arijit Pasayat  
Chairman**

**Hon'ble Mr. Rahul Sarin  
Member**

**Hon'ble Ms. Pravin Tripathi  
Member**

**IN THE MATTER OF**

Dr. Narottam Puri ....Applicant

*Versus*

Sterling Holiday Resorts (I) Ltd. ...Respondent

**Appearances:** None

**ORAL ORDER**  
04-03-2010

None appears for the applicant. Dismiss for non-prosecution.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**[Pravin Tripathi]  
Member**



**COMPETITION APPELLATE TRIBNAL**

**C.A. No. 60/2004**

**CORAM**

**Hon'ble Dr. Justice Arijit Pasayat  
Chairman**

**Hon'ble Mr. Rahul Sarin  
Member**

**Hon'ble Ms. Pravin Tripathi  
Member**

**IN THE MATTER OF**

Sanjeev Bali .....Applicant

*Versus*

U.P. State Aids Control Soceity & anr. ...Respondents

**Appearances:** Applicant in person  
Mr. Kamal Mehta, Advocate for the respondent

**ORAL ORDER**  
04-03-2010

At the joint request, the matter is adjourned to 24<sup>th</sup> May, 2010.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**RTPE No. 206/1999**

**CORAM**

**Hon'ble Dr. Justice Arijit Pasayat  
Chairman**

**Hon'ble Mr. Rahul Sarin  
Member**

**Hon'ble Ms. Pravin Tripathi  
Member**

**IN THE MATTER OF**

Eastman Impex .....Complainant

*Versus*

Panapila World Transport (I) Ltd.  
& anr. ...Respondents

**Appearances:** Mr. O.P. Gaggar, Advocate for the Complainant  
Mr. Vijay Kumar, Advocate for the respondent

**ORAL ORDER**  
04-03-2010

A prayer is made for adjournment by the counsel for the respondent on the ground that the learned counsel who was earlier in charge of the brief has left the chambers of the counsel. List the matter on 7<sup>th</sup> May, 2010.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**C.A. No. 39/2004**

**CORAM**

**Hon'ble Dr. Justice Arijit Pasayat  
Chairman**

**Hon'ble Mr. Rahul Sarin  
Member**

**Hon'ble Ms. Pravin Tripathi  
Member**

**IN THE MATTER OF**

Nishi Sharma .....Applicant

*Versus*

Ghaziabad Development Authority ...Respondent

**Appearances:** Mr. Manish Kumar Maggo, Advocate for the Applicant  
Ms. Reena Singh, Advocate for the respondent

**ORAL ORDER**  
04-03-2010

List the matter on 6<sup>th</sup> May, 2010.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**UTPE No. 72/2005**

**CORAM**

**Hon'ble Dr. Justice Arijit Pasayat  
Chairman**

**Hon'ble Mr. Rahul Sarin  
Member**

**Hon'ble Ms. Pravin Tripathi  
Member**

**IN THE MATTER OF**

Achla Chatterjee

....Complainant

*Versus*

Ghaziabad Development Authority

...Respondent

**Appearances:** Mr. D. S. Mahendru, Advocate for the Complainant  
Ms. Reena Singh, Advocate for the respondent

**ORAL ORDER**  
04-03-2010

It is stated that the affidavit of evidence of the respondent has been filed. A copy of the same be supplied to the learned counsel for the complainant. Admission/denial of documents shall take place on 23<sup>rd</sup> April, 2010 before the officer concerned and the matter shall be listed on 24<sup>th</sup> May, 2010 for cross-examination of the respondent's witness.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**UTPE No. 71/2005**

**C.A. No. 114/2005**

**CORAM**

**Hon'ble Dr. Justice Arijit Pasayat  
Chairman**

**Hon'ble Mr. Rahul Sarin  
Member**

**Hon'ble Ms. Pravin Tripathi  
Member**

**IN THE MATTER OF**

Puneet Electronics

....Complainant

*Versus*

Base Corporation Ltd.

...Respondent

**Appearances:** Mr. S. K. Chaturvedi, Advocate for the Complainant  
Mr. Jamuna Prasad, A/R for the respondent

**ORAL ORDER**

04-03-2010

It is stated that the learned counsel for the respondent is unavailable.

List the matter on 20<sup>th</sup> April, 2010.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**UTPE No. 81/2005**

**CORAM**

**Hon'ble Dr. Justice Arijit Pasayat  
Chairman**

**Hon'ble Mr. Rahul Sarin  
Member**

**Hon'ble Ms. Pravin Tripathi  
Member**

**IN THE MATTER OF**

D. G. ( I & R ) .....Complainant

*Versus*

Inspections Syndicate of India (P) Ltd. ...Respondent

**Appearances:** Ms. R. D. Makheeja, Advocate for the DG (I&R)  
None for the respondent

**ORAL ORDER**  
04-03-2010

The matter shall be listed on 24<sup>th</sup> May, 2010 for cross-examination of  
the DG's witness.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**RTPE No. 16/2002**

**CORAM**

**Hon'ble Dr. Justice Arijit Pasayat  
Chairman**

**Hon'ble Mr. Rahul Sarin  
Member**

**Hon'ble Ms. Pravin Tripathi  
Member**

**IN THE MATTER OF**

Pankaj Varshney

....Complainant

*Versus*

U.P.S.I.D.C.

...Respondent

**Appearances:**

Mr. Narender Vashist, Advocate for the Complainant  
Mr. Rajesh Raina, Advocate for the respondent

**ORAL ORDER**

04-03-2010

A copy of the calculation sheet has been filed by Mr. Sachiddanand Tiwari, RW-2. Let three copies of the same be filed for Hon'ble Chairman and two Members. A copy of the same be also supplied to the learned counsel for the complainant. The matter is adjourned to 20<sup>th</sup> April, 2010.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**UTPE No. 76/2005**

**CORAM**

**Hon'ble Dr. Justice Arijit Pasayat  
Chairman**

**Hon'ble Mr. Rahul Sarin  
Member**

**Hon'ble Ms. Pravin Tripathi  
Member**

**IN THE MATTER OF**

Methew Menon .....Complainant

*Versus*

Davo Laboratories & Ors. ...Respondents

**Appearances:** Applicant in person

**ORAL ORDER**

04-03-2010

Though the applicant is present, none appears for the respondent. Today the matter is listed for cross-examination of AW1. The evidence of AW1 is closed. Now respondent is directed to file affidavit of evidence along with documents. List the matter on 23<sup>rd</sup> April, 2010 for admission/denial of the respondent's documents and on 24<sup>th</sup> May, 2010 for cross-examination of the respondent's witness.

**[Dr. Arijit Pasayat]  
Chairman**

T  
**[Rahul Sarin]  
Member**

**[Pravin Tripathi]  
Member**



**COMPETITION APPELLATE TRIBNAL**

**C.A. No. 23/2004**

**CORAM**

**Hon'ble Dr. Justice Arijit Pasayat  
Chairman**

**Hon'ble Mr. Rahul Sarin  
Member**

**Hon'ble Ms. Pravin Tripathi  
Member**

**IN THE MATTER OF**

Rita Malhotra .....Applicant

*Versus*

M.D.A. & Ors. ...Respondents

**Appearances:** Mr. Sunil Malhotra, Advocate for the Applicant  
Mr. C.B.N. Babu, Advocate for the respondent

**ORAL ORDER**  
04-03-2010

An application for amendment to the Compensation Application has been filed. Learned counsel for the respondent authority is directed to file objections, if any, within four weeks.

List the matter on 20<sup>th</sup> April, 2010.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**C.A. No. 49/2004**

**CORAM**

**Hon'ble Dr. Justice Arijit Pasayat  
Chairman**

**Hon'ble Mr. Rahul Sarin  
Member**

**Hon'ble Ms. Pravin Tripathi  
Member**

**IN THE MATTER OF**

Aman Collection

....Applicant

*Versus*

Virgin Atlantic

...Respondent

**Appearances:**

Mr. Naresh Arora, Ms. Ekta Kapil, Advocates for the  
Applicant

Mr. M. Wadhvani, Advocate for the respondent

**ORAL ORDER**

04-03-2010

Learned counsel for the respondent states that the witness, who was to  
be examined, is not present today because of unavoidable difficulty.

The matter is adjourned to 20<sup>th</sup> April, 2010.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**C.A No. 87/2007**

**Statement of**

**On Oath**

I have seen the affidavit dated 25.2.2008 which have been sworn and signed by me. This is exhibited as AW1/1.

**Cross-examination of the witness by Shri, advocate for**

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**[Pravin Tripathi]  
Member**

**R.O. & A.C.  
04-03-2010**

