

COMPETITION APPELLATE TRIBUNAL

NEW DELHI

RTPE 326/1996

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

**Smt. Kiran Aggarwal**

**.... Complainant**

**Versus**

**Delhi Development Authority  
through the Vice Chairman**

**... Respondent**

Appearances : **Ms. Nusrat Khan, Advocate for the Complainant.**

**Shri Sunil Malhotra, Advocate for the Respondent.**

ORAL ORDER

**5<sup>th</sup> March, 2010**

Heard the learned counsel for the parties. An application has been filed by the complainant for amendment of the original complaint. It appears that originally the prayer was for allotment of the property in question. In view of the decision of the Supreme Court in the case of **Ghaziabad Development Authority V/s. Ved Prakash Aggarwal reported in 2008 INDLAW SC 852**, such a prayer cannot be entertained. In the present proceedings, however, undisputed fact remains that the complainant had deposited a sum of Rs. 15,000/- in the year 1985. The amendment essentially is for bringing on record the prayer for refund of the amount deposited along with compensation. Learned counsel for the respondent submitted that though the application for amendment is

thoroughly belated because it was filed after more than a decade and the new prayer which will be substratum of the dispute cannot be entertained. It is also submitted that proper procedure for refund is laid down. There is some dispute as to whether any intimation of the procedure is given to the complainant. Considering the limited nature of the controversy, we dispose of the application with the following directions :

Taking into account the fact that Rs. 15,000/- was deposited in 1985 with the respondent and the fact that the prayer for allotment of the property cannot be accepted in view of the decision of the Supreme Court in the case of *Ved Prakash Aggarwal (supra)*, let the respondent pay a sum of Rs. 50,000/- (Rupees Fifty Thousand Only) in total to the complainant. The amount fixed includes the amount deposited by the complainant and the possible earning thereon if the amount had been deposited in the bank in a fixed deposit. The amount shall be paid to the complainant within four weeks of the date on which the documents required to be filed by the complainant for getting the refund are filed. The present application is disposed of accordingly.

In terms of the above, the main petition also stands disposed of.

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL

NEW DELHI

RTPE 26/2009

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

**M/s. Bidwell Securities (P) Ltd.**

**.... Complainant**

**Versus**

**Bombay Stock Exchange Ltd.**

**... Respondent**

Appearances : **Shri Aditya Narain with Shri Vinay Gupta, Advocates  
for the Complainant.**

**Ms. Deepti, Advocate for the Respondent.**

ORAL ORDER

**5<sup>th</sup> March, 2010**

List this matter on **20<sup>th</sup> May, 2010.**

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL

NEW DELHI

C.A. 55/2006

UTPE 94/2005

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

**Vabdaba Khanna**

**.... Applicant/Complainant**

**Versus**

**ICICI Bank Ltd.**

**... Respondent**

Appearances : **Shri Rajeev Samaryar, Advocate for the Applicant/  
Complainant.**

**Representative of the Respondent.**

ORAL ORDER

**5<sup>th</sup> March, 2010**

List this matter on **9<sup>th</sup> March, 2010** as prayed for.

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL

NEW DELHI

RTPE 72/2000

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

**The Director General (Investigation  
and Registration) [the DG (I&R)]**

**.... Complainant**

**Versus**

**Oriental Insurance Co. Ltd. & Anr.**

**... Respondents**

Appearances : **Shri C. Shanmugam, ADG for the DG.**

**Shri Yagesh Malhotra, Advocate for Respondent No. 1.**

**Shri K. Venkataraman, Advocate for Respondent No. 2.**

ORAL ORDER

**5<sup>th</sup> March, 2010**

Heard the learned counsel for the respondent and the representative of the DG (I&R). In view of the affidavit dated 25.08.2009, nothing further survives in this matter and the proceedings are closed.

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL

NEW DELHI

M.A. No. ....IN

C.A. 68/2004

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

**Rajpuria Marketing**

**.... Applicant**

**Versus**

**M/s. Hindustan Lever Ltd.**

**... Respondent**

Appearances :     **Shri Bipin Kalappa, Advocate for the Applicant.**

**Shri Aditya Narain with Dr. V.K. Aggarwal, Advocates for  
the Respondent.**

ORAL ORDER

**5<sup>th</sup> March, 2010**

The application for change of the name of the respondent company from 'Hindustan Lever Ltd. to "**Hindustan Unilever Ltd.**', is allowed. This application is disposed of accordingly.

A prayer for adjournment is made by the counsel for the applicant on the ground that he has been recently engaged in the matter.

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

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL

NEW DELHI

UTPE 90/2005

C.A. 39/2009

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

**Dr. (Mrs.) Manjeet Kaur Monga**

**... Complainant/Applicant**

**Versus**

**K.L. Suneja**

**... Respondent**

Appearances : **Shri Bahar U. Barqui, Advocate for the Complainant/  
Applicant.**

**Shri Aditya Narain, Advocate for the Respondents.**

ORAL ORDER

**5<sup>th</sup> March, 2010**

Four weeks' time is granted to the counsel for the complainant/applicant for filing the rejoinder, if any. Both the petitions i.e. UTPE 90/2005 and C.A. 39/2009 shall be heard on **21<sup>st</sup> July, 2010.**

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL  
NEW DELHI

Contempt Application No. 1/2008

IN

C.A. 32/2001

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

**Peejay Finance Co. Ltd.**

**.... Complainant**

**Versus**

**Sterling Holidays Resorts (I) Ltd.**

**... Respondent**

Appearances :     **Shri P.C. Gupta, Advocate for the Complainant.**

**Shri A. Acharjee, Advocate for the Respondent.**

ORAL ORDER

**5<sup>th</sup> March, 2010**

List the matter on **21<sup>st</sup> July, 2010**. In the meantime, the parties shall check the actual amount to be paid by the complainant to the respondent.

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member



COMPETITION APPELLATE TRIBUNAL

NEW DELHI

UTPE 91/2005

C.A. 34/2006

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

**Hari Chand Anands & Co. and Anr.**

**.... Complainant/Applicant**

**Versus**

**Sunstar Machinery Co. Ltd.**

**... Respondent**

Appearances : **None for the Parties.**

ORAL ORDER

**5<sup>th</sup> March, 2010**

None appears for the complainant/applicant. The matters are,  
therefore, dismissed for non-prosecution.

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL

NEW DELHI

M.A. No. 13/2009

UTPE 100/2005

C.A. 112/2009

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

**S.C. Sharma**

**.... Complainant**

**Versus**

**Sanglow Builders (P) Ltd.**

**... Respondent**

Appearances :     **The Complainant in person.**

**Dr. B.K. Dwivedi, Advocate for the Respondent.**

ORAL ORDER

**5<sup>th</sup> March, 2010**

Further affidavit by the parties shall be filed within three weeks.

List the matter on **21<sup>st</sup> July, 2010.**

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL

NEW DELHI

RTPE 44/2006

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

**The Director General (Investigation  
and Registration) [the DG(I&R)]**

**.... Complainant**

**Versus**

**DIC Coatings Ltd.**

**... Respondent**

Appearances : **Shri C. Shanmugam, ADG for the DG (I&R).**

**Shri Buddy Ranganathan with Shri Abhijeet Swaroop,  
Advocates for the Respondent.**

ORAL ORDER

**5<sup>th</sup> March, 2010**

List the matter on **21<sup>st</sup> July, 2010.**

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL

NEW DELHI

C.A. 73/2004

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

**Anand Prakash**

**... Applicant**

**Versus**

**National Book Trust**

**... Respondent**

Appearances : **Ms. Sushila Ram, Advocate for the Applicant.**

**Shri B.K. Satija, Advocate for the Respondent.**

ORAL ORDER

**5<sup>th</sup> March, 2010**

List the matter on **21<sup>st</sup> July, 2010.**

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL

NEW DELHI

C.A. 72/2004

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

**Squire Sales**

**.... Applicant**

**Versus**

**Johnson & Johnson**

**... Respondent**

Appearances :

**Shri B.K. Satija, Advocate for Shri R.D. Makheeja,  
Advocate for the Applicant.**

**Ms. Mallika Joshi, Advocate for the Respondent.**

ORAL ORDER

**5<sup>th</sup> March, 2010**

List the matter on **21<sup>st</sup> July, 2010.**

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL

NEW DELHI

UTPE 05/2003

UTPE 22/2004

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

**G.M. Pens International Pvt. Ltd.**

**... Complainant**

**Versus**

**Cello Pens Plastic Products**

**... Respondent**

Appearances : **Shri K.V. Mohan with Shri K. Mukundakam, Advocates for  
the Complainant.**

**Shri Amit Bajaj with Ms. Seema Sundd, Advocates for the  
Respondent.**

ORAL ORDER

**5<sup>th</sup> March, 2010**

It is stated that the connected matters are pending before the Supreme Court in Civil Appeals Nos. 460 and 728 of 2006. Though there is no stay on the enquiry proceedings, the judgement of the Supreme Court in the aforesaid two Civil Appeals would have an effect on the decision to be taken in the enquiry. That being so, the matters are adjourned *sine die*. The parties are directed to intimate the Registry after the disposal of the aforesaid Civil Appeals so that the present matters can be listed.

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL

NEW DELHI

C.A. 78/2004

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

**Deep Colour Lab** .... **Complainant**

**Versus**

**Kodak India Ltd.** ... **Respondent**

Appearances : **Shri Jeevan Prakash, Advocate for the Complainant.**

**Ms. Mallika Joshi, Advocate for the Respondent.**

ORAL ORDER

**5<sup>th</sup> March, 2010**

Though the affidavit of R.W. has not been filed, the documents have been filed by the respondent. Let the admission/denial of the respondent's documents take place on **21<sup>st</sup> April, 2010 at 2:00 P.M.** Thereafter the matter shall be listed on **21<sup>st</sup> July, 2010** before which date, the affidavit of evidence of R.W. shall be filed.

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL  
NEW DELHI

C.A. 80/2004

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

**Gurdayal Singh** **.... Complainant**

**Versus**

**Ghaziabad Development Authority** **... Respondent**

Appearances : **Shri Nish Kumar Maggoo,, Advocate for the Complainant.**

**Ms. Reena Singh, Advocate for the Respondent.**

ORAL ORDER

**5<sup>th</sup> March, 2010**

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

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member



COMPETITION APPELLATE TRIBUNAL

NEW DELHI

UTPE 102/2005

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

**The Director General (Investigation  
and Registration) [the DG (I&R)]**

**.... Complainant**

**Versus**

**Colorplus Fashioners Ltd.**

**... Respondent**

Appearances :     **Shri V.K. Mehta, Advocate for the DG.**

**Shri Vivek Singh, Advocate for the Respondent.**

ORAL ORDER

**5<sup>th</sup> March, 2010**

List this matter on **20<sup>th</sup> July, 2010**. If any further affidavit is to be filed, the same shall be done within four weeks from today.

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL  
NEW DELHI

UTPE 92/2005

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

**The Director General (Investigation  
and Registration) [the DG (I&R)]**

**.... Complainant**

**Versus**

**Gupta Abhushan Pvt. Ltd.**

**... Respondent**

Appearances :     **Shri C. Shanmugam, ADG for the DG.**

**Shri U.N. Shukla, Advocate for the Respondent.**

ORAL ORDER  
**5<sup>th</sup> March, 2010**

R.A No. 2/2009 :

The application seeking permission to examine the I.O. of the DG is thoroughly misconceived and rejected.

UTPE 92/2005 :

The affidavit of evidence shall be filed within four weeks. The admission/denial of the documents shall take place on **23<sup>rd</sup> April, 2010 at 2:00 P.M.**

Thereafter, the matter shall be listed on **20<sup>th</sup> July, 2010.**

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL

NEW DELHI

UTPE 101/2005

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

**M.K. Maheshwari** .... Complainant

**Versus**

**Meerut Development Authority** ... Respondent

Appearances : The Complainant in person.

**Shri Anis Suhrawardy with Shri Syed Mehndi Imam,  
Advocates for the Respondent.**

ORAL ORDER

**5<sup>th</sup> March, 2010**

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

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL

NEW DELHI

RTPE 09/2009

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

**Vinod Singh Rawat**

**... Complainant**

**Versus**

**The Managing Director  
M/s. Crossing Infrastructure Pvt.  
Ltd. & Anr.**

**... Respondents**

Appearances : **None for the Parties.**

ORAL ORDER

**5<sup>th</sup> March, 2010**

None appears for the complainant. The matter is dismissed for non-prosecution.

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL

NEW DELHI

RUTPE C.A.

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

.... Complainant

**Versus**

... Respondent

Appearances :     **Shri**

ORAL ORDER  
**5<sup>th</sup> March, 2010**

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL

NEW DELHI

RUTPE C.A.

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

.... Complainant

**Versus**

... Respondent

Appearances :     **Shri**

ORAL ORDER  
**5<sup>th</sup> March, 2010**

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL

NEW DELHI

RUTPE C.A.

CORAM

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Ms. Pravin Tripathi  
Member

**In the matter of :**

.... Complainant

**Versus**

... Respondent

Appearances :     **Shri**

ORAL ORDER  
**5<sup>th</sup> March, 2010**

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

Dated : 5<sup>th</sup> March, 2010

**Sub. : CHANGE OF ADDRESS.**

Dear

I was being invited by UPSC as Advisor to assist the Commission in the interviews etc. My address has since been changed as mentioned above. Kindly take note of this for any future correspondence.

Yours faithfully,

[M.M.K. SARDANA]

Shri Alok Rawat,  
Secretary,  
Union Public Service Commission,  
Shahjahan Road,  
NEW DELHI.