

COMPETITION APPELLATE TRIBUNAL  
NEW DELHI

I.A. No. 35 /2009

UTPE 123/2009

CORAM

Dr. Justice Arijit Pasayat  
Chairman

Shri Rahul Sarin  
Member

Ms. Pravin Tripathi  
Member

**In the matter of :**

Castrol India Ltd. ... Complainant

**Versus**

M/s. Imami Ltd. ... Respondent

Appearances :, **Shri Raj Sekhar Rao and Shri Arshdeep Singh,Advocates for the Complainants.**

ORAL ORDER

9<sup>th</sup> December, 2009

List the matter on 16<sup>th</sup> December, 2009.

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL  
NEW DELHI

I.A. No. 35 /2009

UTPE 123/2009

CORAM

Dr. Justice Arijit Pasayat  
Chairman

Shri Rahul Sarin  
Member

Ms. Pravin Tripathi  
Member

**In the matter of :**

Castrol India Ltd. ... Complainant

Versus

M/s. Santa Chemicals Ltd. ... Respondent

Appearances :, **Shri Raj Sekhar Rao and Shri Arshdeep Singh,Advocates for the Complainants.**

ORAL ORDER

9<sup>th</sup> December, 2009

List the matter on 16<sup>th</sup> December, 2009.

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL  
NEW DELHI

RTPE 16/2007

CORAM

Dr. Justice Arijit Pasayat  
Chairman

Shri Rahul Sarin  
Member

Ms. Pravin Tripathi  
Member

**In the matter of :**

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

**Versus**

**Kitchen Care ... Respondent**

**Appearances : Shri C. Shanmugham, ADG for the D.G.(I&R)  
Shri U.N. Shukla, counsel for the informant.  
Shri S. Panduranga Sarma, representative of the  
Respondent.**

**ORAL ORDER**

**9<sup>th</sup> December, 2009**

Heard learned counsel for the parties. The only allegation made by the complainant was that there was a compulsion for taking a pipe which otherwise the complainant would not have done. D.G.(I&R) was directed to investigate into the matter. The DG.(I&R) sent notices to the respondent. The stand taken by the respondent was to the effect that there was compulsion and

the complainant himself took the pipe by paying the requisite amount. It is pointed out that because third party insurance is involved and for the safety and well being of the customers with five years guarantee and other safety benefits the option was given to the complainant to purchase the pipe so that it would be beneficial to the complainant who accepted the same voluntarily. Though it has been pleaded that all the customers were subjected to similar treatment, no material in that regard has been placed. It is fairly accepted by the learned counsel for the complainant that after a long time of the alleged purchase of pipe a legal notice was issued in September, 2007. It appears that pursuant to the directions of Monopolies and Restrictive Trade Practices Commission (in short the Commission), the D.G.(I&R) issued notices to the respondents to indicate their views and place materials. This was done in March 2007. Obviously after about six months when the D.G.(I&R) was in the process of investigating, the so called legal notice was sent.

In our considered view the allegation of Restrictive Trade Practice has not been established and the case is dismissed.

**Consequently the Compensation Application will stand dismissed. Notice of Enquiry stands discharged.**

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL  
NEW DELHI

RTPE 52/2008

CORAM

Dr. Justice Arijit Pasayat  
Chairman

Shri Rahul Sarin  
Member

Ms. Pravin Tripathi  
Member

**In the matter of :**

**Abdul Rauf** ... Complainant

**Versus**

**ICICI Bank Ltd.** ... Respondent

**Appearances : Shri Riju Raj Jamwal and Shri Mudang Opo,  
Advocate for the Complainant.**

ORAL ORDER

9<sup>th</sup> December, 2009

A memorandum has been filed stating that the parties have settled the matter. A copy of the terms of settlement has been filed. The same would form part of record. Proceedings are closed.

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL  
NEW DELHI

M.A. No.30 /2007

RTPE 6/2005

CORAM

Dr. Justice Arijit Pasayat  
Chairman

Shri Rahul Sarin  
Member

Ms. Pravin Tripathi  
Member

**In the matter of :**

**Suresh Agencies ... Complainant**

**Versus**

**Noverties ... Respondent**

**Appearances : Shri U.N. Shukla, advocate for the Complainant.**

**Shri Arvind Gupta, Advocate for the Respondent.**

**ORAL ORDER**

**9<sup>th</sup> December, 2009**

Learned counsel for the applicant has submitted certain proposals for consideration of the respondent so that the matter can be settled, if possible, outside the court. Learned counsel for the respondent states that he would take instructions. Four weeks time is granted for this purpose. List on 12<sup>th</sup> March, 2010.

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL  
NEW DELHI

I.A. No. 47 /2009

UTPE 123/2009

CORAM

Dr. Justice Arijit Pasayat  
Chairman

Shri Rahul Sarin  
Member

Ms. Pravin Tripathi  
Member

**In the matter of :**

**Johnson & Johnson Ltd. ... Complainant**

**Versus**

**M/s. Imami Ltd. ... Respondent**

**Appearances : Shri Ashok H. Desai, Sr. Advocate with Shri**

**Ravinder Narain, Shri Subrat Deb, Ms. Malika  
Joshi, Advocates for the Complainant.**

**Shri . V.K. Agarwal, Shri Ajay Bhargava, Ms. Vanita  
Bhargava and Shri Abhijeet Swaroop, Advocates  
for the Respondent.**

**ORAL ORDER**

**9<sup>th</sup> December, 2009**

Heard Shri Ashok H. Desai, Sr. Advocate and other learned  
counsel for the complainant. Adjourn to 14<sup>th</sup> December, 2009  
for respondent's reply.

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member



COMPETITION APPELLATE TRIBUNAL  
NEW DELHI

RTPE 279/1995

C.A. 87/1997

CORAM

Dr. Justice Arijit Pasayat  
Chairman

Shri Rahul Sarin  
Member

Ms. Pravin Tripathi  
Member

**In the matter of :**

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

**Versus**

**M/s. Idemitsu Kosan Co. Ltd. & Anr. ... Respondents**

**Appearances : Shri C. Shanmugham, ADG for the D.G.(I&R)**

**Shri P. Sinha, advocate for the applicant in C.A.**

**Shri S.S. Kumar, advocate for respondent no. 1.**

**Shri Mukul Bawa, Advocate for the respondent no.1.**

**ORAL ORDER**

**9<sup>th</sup> December, 2009**

**At the request of the learned counsel for respondent no. 2 adjourn the matter on 15<sup>th</sup> December, 2009. This adjournment is granted subject to payment of Rs. 5,000/- as cost to be paid by 14<sup>th</sup> December, 2009.**

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL  
NEW DELHI

I.A. No. /200

URTPE

CORAM

Dr. Justice Arijit Pasayat  
Chairman

Shri Rahul Sarin  
Member

Ms. Pravin Tripathi  
Member

**In the matter of :**

... Complainants

Versus

... Respondents

Appearances :, **Advocate for the Complainants.**

, **Advocate for the Respondents.**

ORAL ORDER

9<sup>th</sup> December, 2009

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

COMPETITION APPELLATE TRIBUNAL  
NEW DELHI

I.A. No. /200

URTPE

CORAM

Dr. Justice Arijit Pasayat  
Chairman

Shri Rahul Sarin  
Member

Ms. Pravin Tripathi  
Member

**In the matter of :**

... Complainants

Versus

... Respondents

Appearances :, **Advocate for the Complainants.**

, **Advocate for the Respondents.**

ORAL ORDER

9<sup>th</sup> December, 2009

[Dr. Arijit Pasayat]  
Chairman

[Rahul Sarin]  
Member

[Pravin Tripathi]  
Member

