

COMPETITION APPELLATE TRIBUNAL

UTPE 55/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

DG(I&R) ...Complainant

Vs.

Faber Heat Kraft Industries Ltd. ...Respondent

Appearances: Shri C.Shanmugam, ADG for the DG

None for the Respondent

ORAL ORDER
01.12.2010

None appears for the respondent. Issue notice.

The matter shall be listed in the 3rd week of January 2011 for fixing a date.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

COMPETITION APPELLATE TRIBUNAL

CA 146/2006

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

Sumitra Devi ...Applicant

Vs.

Ghaziabad Development Authority ...Respondent

Appearances: Shri Ruchir Mishra and Shri Mukesh Kumar for Applicant

Shri Saurabh Yadav, Proxy Counsel for Ms. Reena Singh,
Advocate for the Respondent

ORAL ORDER
01.12.2010

Rejoinder shall be filed in the course of the day.

The matter shall be listed in the last week of January 2011 for fixing a date.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

COMPETITION APPELLATE TRIBUNAL

MTPE 02/2008

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

DG(I&R) ...Applicant

Vs.

BSES Yamuna Power Ltd. ...Respondent

Appearances: Shri C.Shanmugam, ADG for the DG

Shri Harshwardhan, Proxy Counsel for the Respondent

ORAL ORDER
01.12.2010

A copy of the reply will be supplied to the learned counsel for the respondent. If any rejoinder is to be filed, it shall be filed within four weeks.

List in the last week of January 2011 for fixing a date.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

COMPETITION APPELLATE TRIBUNAL

UTPE 142/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

DG(I&R) ...Complainant

Vs.

Reddy's Laboratories Ltd. ...Respondent

Appearances: Shri C.Shanmugham, ADG for the DG

Shri Nitin Sharma and Shri Saurabh Srivastava, Advocates
for the Respondent

ORAL ORDER
01.12.2010

Heard the Representative of the DG. The subject matter of this controversy is to be decided by the National Pharmaceutical Pricing Authority (in short NPPA). Therefore, this petition is not entertained. The petition is closed.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

COMPETITION APPELLATE TRIBUNAL

CA 03/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

Chetan Chopra ...Applicant

Vs.

Medsouree Ozon Biomedical Pvt. Ltd. ...Respondent

Appearances: Advocate for the Applicant
Shri Hari, Advocate for the Respondent

ORAL ORDER
01.12.2010

The grievances made by the applicant at the most may be a case of deficiency of service. In view of what has been stated in para – 5 and 6 of the reply and the rejoinder with regard to these paragraphs, no case of interference is made out. The application is dismissed.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

COMPETITION APPELLATE TRIBUNAL

UTPE 22/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

DG(I&R) ...Complainant

Vs.

M/s. Wockardt Ltd. ...Respondent

Appearances: Shri C.Shanmugham, ADG for the DG

Shri Aditya Narain, Advocate for the Respondent

ORAL ORDER

01.12.2010

The reply shall be filed within four weeks.

The matter shall be listed in the last week of January 2011 for fixing a date.

**(Dr. Justice Arijit Pasayat)
Chairman**

**(Rahul Sarin)
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 43/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

DG(I&R) ...Complainant

Vs.

Punjab Urban Planning & Development Authorities ...Respondent

Appearances: Shri C.Shanmugham, ADG for the DG

None for the Respondent

ORAL ORDER

01.12.2010

The rejoinder shall be filed within six weeks.

The matter shall be listed in the last week of January 2011 for fixing a date.

**(Dr. Justice Arijit Pasayat)
Chairman**

**(Rahul Sarin)
Member**

COMPETITION APPELLATE TRIBUNAL

CA 37/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

Shri Gulshan Rai ...Applicant

Vs.

Ashiana Mangalam Developers ...Respondent

Appearances: Shri Sanjeev with Shri O.P.Gupta, Advocates for the
Applicant

Shri Rakesh Kumar, Advocate for the Respondent

ORAL ORDER
01.12.2010

Learned counsel for the applicant states that no rejoinder shall be filed.

The matter shall be listed in the last week of January 2011 for fixing a date.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

COMPETITION APPELLATE TRIBUNAL

UTPE 47/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

DG(I&R) ...Complainant

Vs.

Avit Digital Pvt. Ltd. & Anr. ...Respondent

Appearances: Shri C.Shanmugham, ADG for the DG

Shri Rajat Juneja, Advocate for R-1

ORAL ORDER

01.12.2010

A copy of the reply shall be furnished to the representative of the DG.
Rejoinder shall be filed within four week.

The matter shall be listed in the third week of January 2011 for fixing a date.

**(Dr. Justice Arijit Pasayat)
Chairman**

**(Rahul Sarin)
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 21/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

DG(I&R) ...Complainant

Vs.

Novarties India Ltd. & Anr. ...Respondent

Appearances: Shri C.Shanmugham, ADG for the DG

Shri Neil Hildreth, Advocate for R-1 and 2

ORAL ORDER
01.12.2010

It is stated by the learned counsel for the respondents that the manufacturer of the drug in question has been discontinued since April 2008 and there is no intention of the respondents that there shall not be any manufacturer of the drug in question in future. So far as the price control authority is concerned, the same falls within the domain of the NPPA. That being so, the proceedings are closed.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

COMPETITION APPELLATE TRIBUNAL

**RTPE 50/2008
CA 84/2007**

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

D.K. Khanna ...Applicant

Vs.

Sanaf Avents Pharma Ltd. ...Respondent

Appearances: Shri A.K.Malik, Advocate for the Applicant

Shri Shraddha Bhargava, Advocate for the Respondent

**ORAL ORDER
01.12.2010**

In view of the fact that there was no written contract, the alleged violations are not established. That being so, these proceedings are closed. The matter is disposed of.

**(Dr. Justice Arijit Pasayat)
Chairman**

**(Rahul Sarin)
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 145/2007

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

SSRB Associates ...Complainant

Vs.

M/s. Multi Power Diesels (Eastern) Pvt. Ltd. & Ors. ...Respondent

Appearances: Shri A.K.Yadav, Advocate for the Complainant

Shri Mehndiratta, Advocate for the R-2, 3 and 4

ORAL ORDER

01.12.2010

Though a last chance was granted to the complainant but again a prayer is made on the ground that there is ailment in the family of the complainant and therefore, the matter shall be adjourned. On the ground indicated above, the matter is adjourned.

List in the last week of January 2011 for fixing a date.

**(Dr. Justice Arijit Pasayat)
Chairman**

**(Rahul Sarin)
Member**

COMPETITION APPELLATE TRIBUNAL

**IA 23/2008
UTPE 53/2008**

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

Hindustan Unilever Ltd. ...Complainant

Vs.

Lotus Herbals & Others ...Respondent

Appearances: Shri Aditya Narain, Advocate for the Complainant

Ms. Rizwana, Advocate for the Respondent

**ORAL ORDER
01.12.2010**

At the request of the complainant, the matter is adjourned.

The matter shall be listed on 14th December 2010.

**(Dr. Justice Arijit Pasayat)
Chairman**

**(Rahul Sarin)
Member**

COMPETITION APPELLATE TRIBUNAL

30(58)-UTPE/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

Charu Kapoor ...Complainant

Vs.

Samara Hyundai & Anr. ...Respondent

Appearances: Applicant in person

Shri R.K.Kashyap, Advocate for the Respondent

ORAL ORDER

01.12.2010

The learned counsel for the respondents wants two weeks time to file the affidavit as was directed earlier. The prayer is accepted.

The matter shall be listed on 14th December 2010.

**(Dr. Justice Arijit Pasayat)
Chairman**

**(Rahul Sarin)
Member**

COMPETITION APPELLATE TRIBUNAL

30(61)-UTPE/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

Dr. (Col.) C.P. Pant ...Complainant

Vs.

Belvedere Tower Condominiver Association ...Respondent

Appearances: Shri Gaurav Verma, Advocate for the Complainant

None for the Respondent

ORAL ORDER

01.12.2010

It is stated by the learned counsel for the applicant that the applicant does not press this application as he proposes to move an appropriate forum. It is dismissed as withdrawn. We, however, make it clear that we have not expressed any opinion on the merits. The applicant may move the alternative forum.

**(Dr. Justice Arijit Pasayat)
Chairman**

**(Rahul Sarin)
Member**

COMPETITION APPELLATE TRIBUNAL

30(133)UTPE/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

Ms. Shobha Jobalia ...Complainant

Vs.

Coca Cola India Pvt. Ltd. ...Respondent

Appearances: Complainant in person

Shri R.Narain, Advocate along with Ms. Kanika Gamber,
Shri Siddharth Banthia and Ms. Rajeshwari for Respondent

ORAL ORDER
01.12.2010

Learned counsel for the respondent states, on instructions, that he wants six weeks time to file the reply.

List in the last week of January 2011 for fixing a date.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

COMPETITION APPELLATE TRIBUNAL

UTPE 39/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

K.K.Sharma ...Complainant

Vs.

Anuradha Sakari Awas Samiti Ltd. & Others ...Respondents

Appearances: None for the Complainant

Shri Rajiv Vig and Shri Ranbir Singh, Advocate for R-1

ORAL ORDER

01.12.2010

A prayer for adjournment is made on behalf of the respondent No.1. The matter is adjourned.

The matter shall be listed in the last week of January 2011 for fixing a date.

**(Dr. Justice Arijit Pasayat)
Chairman**

**(Rahul Sarin)
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 70/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

Hastimal Chhajar ...Complainant

Vs.

LIC Housing Finance Ltd. ...Respondent

Appearances: Shri B.S.Sharma, Advocate for the Complainant

Shri S.K.Sharma, Advocate for the Respondent

ORAL ORDER

01.12.2010

Rejoinder shall be filed within four weeks.

The matter shall be listed in the last week of January 2011 for fixing a date.

**(Dr. Justice Arijit Pasayat)
Chairman**

**(Rahul Sarin)
Member**

COMPETITION APPELLATE TRIBUNAL

CA 29/2008

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

Hastimal Chhajar ...Complainant

Vs.

LIC Housing Finance Ltd. ...Respondent

Appearances: Shri B.S.Sharma, Advocate for the Complainant

Shri S.K.Sharma, Advocate for the Respondent

ORAL ORDER

01.12.2010

Rejoinder shall be filed within four weeks.

The matter shall be listed in the last week of January 2011 for fixing a date.

**(Dr. Justice Arijit Pasayat)
Chairman**

**(Rahul Sarin)
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 78/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

M/s. Sidh Bhoomi Alloys Ltd. ...Complainant

Vs.

M/s. ICICI Home Finance Co. Ltd. ...Respondent

Appearances: None for the Complainant

Shri Sameer Parekh and Shri Anand S. Jha, Advocates for
Respondents

ORAL ORDER
01.12.2010

None appears for the complainant.

Similar was the position on the earlier date, i.e. 24th September 2010.

The matter stands dismissed for non-prosecution.

**(Dr. Justice Arijit Pasayat)
Chairman**

**(Rahul Sarin)
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 46/2005

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

Neeraj Kumar Karol

...Complainant

Vs.

Roshan Motor Ltd. & Anr.

...Respondent

Appearances:

Shri K.N.Nagpal, Advocate for the Complainant

Ms. Amita Kumari, Advocate for Shri Gurmeet Bindra,
Advocate for Respondent No.2

ORAL ORDER
01.12.2010

None appears for respondent No.1.

The matter shall be listed in the last week of January 2011 for fixing a date.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

COMPETITION APPELLATE TRIBUNAL

CA 14/2005

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

Bharat Mittal ...Applicant

Vs.

TELCO & Ors. ...Respondent

Appearances: Shri M.R.Baskar, Advocate for Applicant

Shri Deepak Joshi, Advocate for R-1 and R-2

ORAL ORDER
01.12.2010

Again the witness for R-3 is not present. A prayer for adjournment is made. The same is accepted subject to the payment of Rs.2,000/- as a cost to the applicant.

The matter shall be listed in the last week of January 2011 for fixing a date.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

COMPETITION APPELLATE TRIBUNAL

CA 91/2005

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

Sterling Agro Industries Ltd.

...Applicant

Vs.

Turbotech Precision Engg. Pvt. Ltd.

...Respondent

Appearances: Advocate for the Applicant

Shri Swapnil Verma, Advocate for the Respondent

ORAL ORDER

01.12.2010

The admission/denial of the respondent's documents shall take place today.

The matter shall be listed in the last week of January 2011 for fixing a date.

**(Dr. Justice Arijit Pasayat)
Chairman**

**(Rahul Sarin)
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 105/2005

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

Rajpal Duggal ...Complainant

Vs.

Greater Delhi Planners Pvt. Ltd. ...Respondent

Appearances: Shri R.D.Makheeja, Advocate for the Complainant

Shri R.S.Kale, Advocate for the Respondent

ORAL ORDER

01.12.2010

List of the documents on which the respondent relies shall be supplied to the learned counsel for the complainant. The admission/denial shall take place on 4th January 2004.

List in the last week of January 2011 for fixing a date.

**(Dr. Justice Arijit Pasayat)
Chairman**

**(Rahul Sarin)
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 112/2005

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

Akhilesh Sharma ...Complainant

Vs.

Tata Motors Finance Ltd. & Anr. ...Respondents

Appearances: Complainant in person

Shri M.R.Baskar, Advocate for the Respondents

ORAL ORDER
01.12.2010

It is stated that there is a possibility of out of court settlement. The matter is adjourned.

The matter shall be listed in the 3rd week of January 2011 for fixing a date.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

COMPETITION APPELLATE TRIBUNAL

RTPE 13/2006

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

DG(I&R) ...Complainant

Vs.

India Auto Industries Pvt. Ltd. & Ors. ...Respondent

Appearances: Shri R.D.Makheeja, Advocate for the DG

Shri Saurabh Khanna for Complainant

Shri Padmanabhan, Advocate for R-2

Shri U.P.Mathur, Advocate for R-4

ORAL ORDER
01.12.2010

Three weeks time is granted to file the affidavit of evidence.

The matter shall be listed in the last week of January 2011 for fixing a date.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

COMPETITION APPELLATE TRIBUNAL

CA 30/2006

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

Medicops ...Applicant

Vs.

Care Medical Devices Ltd. ...Respondent

Appearances: Shri P.Sureshan and Shri B.S.Sharma, Advocates for the Applicant

None for the Respondent

ORAL ORDER
01.12.2010

None appears for the respondent. The respondent has not filed any affidavit of evidence and consequently, the admission/denial has not taken place. The evidence of the respondent is closed.

The matter shall be listed in the last week of January 2011 for fixing a date.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

COMPETITION APPELLATE TRIBUNAL

RTPE 36/2007

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

DG(I&R) ...Complainant

Vs.

Dalmia Resorts International ...Respondent

Appearances: Shri C.Shanmugham, ADG for the DG

Ms. Minal Sehgal, Advocate for the Respondent

ORAL ORDER
01.12.2010

The learned counsel for the respondent states that she has entered appearance recently and prays for time. The admission/denial shall be done on 4th January 2011.

The matter shall be listed in the 3rd week of January 2011 for fixing a date.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

COMPETITION APPELLATE TRIBUNAL

CA 40/2007

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

Ashok Lalwani ...Applicant

Vs.

M/s. Ansal Housing and Construction Ltd. ...Respondent

Appearances: Shri S.K.Sharma and Shri C.M.Sharma, Advocates for the Applicant

Shri P.K.Mittal, Advocate for the Respondent

ORAL ORDER
01.12.2010

It is stated that there is likelihood of settlement and the parties are working out details.

List in the last week of January 2011 for fixing a date.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

COMPETITION APPELLATE TRIBUNAL

CA 76/2003

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

Laghu Udyog Sewa Saurther ...Applicant

Vs.

Bullandshahar Khurja Development Authority ...Respondent

Appearances: None for the parties

ORAL ORDER
01.12.2010

None appears for the parties. Earlier also there was no appearance on behalf of the applicant on 25.2.2010 and 10.5.2010. Their petition is dismissed.

Dismissed for non-prosecution.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

COMPETITION APPELLATE TRIBUNAL

UTPE 34/2006

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

Ms. Mona Rajwanshi ...Complainant

Vs.

Himalayan Pockal Natural Mineral Water & Anr. ...Respondent

Appearances: Shri Anurag Kishore, Advocate for the Complainant

Shri Ankur Sood, Advocate for R-1

Shri Neelesh Sinha, Advocate for R-2

ORAL ORDER
01.12.2010

The evidence is closed. If any affidavit of evidence of R-3 is to be filed, the same shall be filed within three weeks.

The matter shall be listed in the last week of January 2011 for fixing a date.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

COMPETITION APPELLATE TRIBUNAL

UTPE 34/2006

IN THE MATTER OF:

Ms. Mona Rajwanshi

...Complainant

Vs.

Himalayan Pockal Natural Mineral Water & Anr.

...Respondent

Cross-Examination of Shri Harkamal Kumar, S/o Shri Harbans Lal Monga, Mount Everest Mineral Water Ltd., Village Dhaula Kuan, Tehsil Paonta Sahib, H.P. by Shri Anurag Kishore, Advocate for the Complainant.

I am Manager (Accounts) of respondent No.1. I am aware of the cost and the marketing of the product. So far as the mineral water is concerned, the bottles are of 200 ml., 500 ml., 750 ml., 1 ltr., 1.5 ltrs. and 2 ltrs. The quality of water in all these bottles is the same. To my knowledge, there is no case pending relating to lesser quantity of mineral water in the bottle or the quality of such water. I have stated in my affidavit that the bottles supplied to PVR are relatable to identifiable class of customers. What I mean by that is there are some SKUs which are specially designed for some special type of customers and are generally sold in the market, which is 200 ml., 750 ml., 1.5 ltrs. and 2 ltrs. The production of these SKUs is very less as compared to the general SKUs which is 500 ml. and 1 ltr. Because of the low production volume, the cost is very high as compared to the general SKUs. Moreover, the raw material used generally specifically designed for these customers, costs us more. The cost of raw material for the special type of SKUs is higher than the normal SKUs and the production volume is very low. Hence the cost of overheads like labour, electricity, power, depreciation of moulds is high in case of specially designed SKUs. The production of the SKUs in related year of 2006-2007 is 20 lacs bottles as compared to 94 lacs bottles of 1 ltr. and 84 lacs bottles of 500 ml. I am in a position to file the data relating to costing, if time is given. (Four weeks time is granted to the parties.) The data shall be relatable to the relevant period. I do not know the exact difference in price, if any, between the 750 ml bottles sold in the open market and those sold in PVRs. It is wrong to suggest that any unfair trade practice is practiced.

**(Dr. Justice Arijit Pasayat)
Chairman**

**(Rahul Sarin)
Member**

**RO&AC
New Delhi
1.12.2010**

COMPETITION APPELLATE TRIBUNAL

UTPE 20/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

DG(I&R) ...Complainant

Vs.

Aristo Pharmaceuticals Pvt. Ltd. ...Respondent

Appearances: Shri C.Shanmugham, ADG for the DG
Shri TSV Panduranga Sarma, Advocate for the Respondent

ORAL ORDER
01.12.2010

The respondent shall file the affidavit of evidence because the DG has relied only on documentary evidence. The affidavit of evidence shall be filed within four weeks. If any documents are filed, the admission/denial shall take place on 11th January 2011.

The matter shall be listed in the last week of January 2011 for fixing a date.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

COMPETITION APPELLATE TRIBUNAL

RTPE 33/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

IN THE MATTER OF:

Grover Pharma ...Complainant

Vs.

Franklin Laboratories (I) Pvt. Ltd. & Ors. ...Respondent

Appearances: Shri S.P.Saini, Advocate for the Complainant

Shri S.N.Gaur, Advocate for R-1

Shri R.D.Makheeja, Advocate for R-2

ORAL ORDER

01.12.2010

A copy of the rejoinder shall be supplied to the learned counsel for the respondent.

The matter shall be listed in the last week of January 2011 for fixing a date.

**(Dr. Justice Arijit Pasayat)
Chairman**

**(Rahul Sarin)
Member**

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

UTPE 41/2006

01.12.2010

IN THE MATTER OF

SHRI R.K. SAXENA

VERSUS

M/S. DABUR FOODS PVT. LTD.

**APPEARANCES : Shri Rajendra Kumar, advocate for
the complainant.**

**Shri Aditya Narain, advocate for the
respondent.**

The matter is fixed for Admission/Denial of the Respondent's documents.

The learned counsel for the applicant denied all the documents filed along with the affidavit of the respondent's dated 10.09.2010.

The matter shall be placed before the Hon'ble Tribunal on the date fixed, i.e., 14.12.2010.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

RTPE 20/2007

01.12.2010

IN THE MATTER OF

D.G.(I&R)

VERSUS

M/S. BHARTI AIRTEL & ORS.

APPEARANCES : Shri Om Prakash, STA for DG (I&R).

**Shri Aditya Narain, advocate for the
respondent No. 1**

**Shri Jaimohan, advocate for the
respondent No. 2.**

The matter is fixed for Admission/Denial of the Respondent's documents.

Both the respondents have not filed the affidavit. The admission/denial has not taken place.

The matter shall be placed before the Hon'ble Tribunal on the date fixed, i.e., 14.12.2010.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

CA 81/2001

01.12.2010

IN THE MATTER OF

ALLIED NIPPON LTD.

VERSUS

M/S. GOLDEN GLOBE LINE (P) LTD. & ANR.

APPEARANCES : Shri Neeraj Kumar, advocate for the applicant.

None for the respondent.

The matter is fixed for Admission/Denial of the Applicant's documents.

The admission/denial has not taken place today as the respondents are not represented.

The matter shall be placed before the Hon'ble Tribunal on the date fixed, i.e., 08.12.2010.

Later on, Shri Vaibhav, representative of the respondent No. 2 appeared and noted the contents of the order.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

CA 65/2005

01.12.2010

IN THE MATTER OF

SHRI PRADEEP SAXENA

VERSUS

M/S. ICICI BANK LTD.

**APPEARANCES : Shri Arvind Kumar, proxy counsel for
Shri S.K. Tomar, advocate for the
applicant.**

**Shri Ishu Arora, proxy counsel for the
Shri Punit K. Bhalla, advocate for the
respondent.**

The matter is fixed for Admission/Denial of the Applicant's documents.

The proxy counsel for the respondent requested to place the matter before the Hon'ble Tribunal.

The matter shall be placed before the Hon'ble Tribunal on the date fixed, i.e., 06.12.2010.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

CA 82/2005

01.12.2010

IN THE MATTER OF

R.K. ENTERPRISES

VERSUS

M/S. BETUL TYRE & TUBES INDUSTRIES LTD.

APPEARANCES : None for the Applicant.

**Shri Dhananjay Singh, representative
of the respondent.**

The admission/denial has not taken place today.

The matter shall be placed before the Hon'ble Tribunal on the date fixed, i.e., 14.12.2010.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

UTPE 01/2007

01.12.2010

IN THE MATTER OF

DG (I&R)

VERSUS

M/S. SUKHDEV VIHAR GAS SERVICES

APPEARANCES : Shri Om Prakash, STA for DG (I&R).

**Shri D.K. Mehra, advocate for the
respondent.**

The matter is fixed for Admission/Denial of the Respondent's documents.

The representative of the DG (I&R) states that all the three documents filed along with the affidavit of retired Lt. Col. R.C. Jetly, dated 20.07.2010 does not pertain to the DG (I&R) and hence they are denied. It is further stated that the affidavit of the respondent's Manager, dated 20.07.2010 has not been served on the DG (I&R).

The matter shall be placed before the Hon'ble Tribunal on the date fixed, i.e., 14.12.2010.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

CA 47/2005

01.12.2010

IN THE MATTER OF

SMT. CHINMOY PRIYADARSHI

VERSUS

M/S. FIRST COMPUTERS & ANR.

**APPEARANCES : Ms. Pinky Talukdar, proxy counsel,
Shri R.K. Sinha, advocate for the
applicant.**

**Shri Avinash Rastogi, proxy counsel
for Shri Sachin Gupta, advocate for
the respondent No. 1.**

None for respondent no.2

The matter is fixed for Admission/Denial of the Respondent's No. 1 documents.

The learned proxy counsel for the respondent No. 1 states that the proxy counsel for the applicant does not have the authority to do the admission/denial. The proxy counsel for the applicant states that the Hon'ble Tribunal has permitted the proxy counsel to carry out the admission/denial. She admitted the exhibits 2 and 5 filed along with the affidavit of respondent No. 1, dated 03.08.2009 and denied the exhibits 1, 3 and 4.

The matter shall be placed before the Hon'ble Tribunal on the date fixed, i.e., 16.12.2010.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

UTPE 75/2009

01.12.2010

IN THE MATTER OF

DG (I&R)

VERSUS

M/S. VODAFONE ESSAR MOBILES PVT. LTD.

APPEARANCES : Shri Om Prakash, STA for DG (I&R).

**Shri Tushar Singh, advocate for the
respondent.**

The matter is fixed for Admission/Denial of the DG's documents.

All the four documents filed by the DG (I&R) along with the notice to admit documents dated 25.10.2010 are admitted by the respondent.

The matter shall be placed before the Hon'ble Tribunal on the date fixed, i.e., 08.12.2010.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

UTPE 63/2006
CA 109/2006

01.12.2010

IN THE MATTER OF

TELEREX COMMUNICATION (I) PVT. LTD.

VERSUS

M/S. FORD INDIA PVT. LTD. & ANR.

**APPEARANCES : None for the complainant/applicant.
Shri Anuj Kr. Ranjan, proxy counsel
for Shri Tasmeen Aziz Ahmad,
advocate for R-1.
None for R-2.**

The matter is fixed for Admission/Denial of the Complainant's/Applicant's documents.

Shri R.K. Kashyap, advocate for the respondent No. 2 appeared in the morning and stated that he may not be able to attend to admission/denial in the afternoon session as he is not well. The admission/denial has not taken place as the complainant/applicant is not represented.

The matter shall be placed before the Hon'ble Tribunal on the date fixed, i.e., 15.12.2010.

Later at 4.00 p.m., Ms. Inderjeet Sindhu, advocate for the complainant/applicant appeared and noted the contents of the order.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

UTPE 67/2006
CA 171/2008

01.12.2010

IN THE MATTER OF

SHRI GOPICHAND ROHRA

VERSUS

M/S. BHARTIYA AROGYA NIDHI

APPEARANCES : Shri R.D. Makheeja, advocate for the complainant/applicant.

Shri A.M. Pattiyani, advocate for the respondent.

The matter is fixed for Admission/Denial of the Respondent's documents.

The admission/denial has not taken place today.

The matter shall be placed before the Hon'ble Tribunal on the date fixed, i.e., 09.12.2010.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

CA 113/2005

01.12.2010

IN THE MATTER OF

SHRI ADITYA NARAIN UPADHYAY

VERSUS

M/S. WATTHOUR SYSTEMS & ANR.

APPEARANCES : Shri Param, clerk of Shri Pradeep Kumar Kashyap, advocate for the applicant

Shri Sarvesh Bisaria, advocate for the respondent.

The matter is fixed for Admission/Denial of the Respondent's documents.

The learned counsel for the respondent serves the affidavit and the documents on the applicant. He requests a short adjournment as he is yet to get four original documents that are in custody of the police authorities in Madhya Pradesh. On his request, the admission/denial shall now take place on 10.12.2010.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

UTPE 07/2007

01.12.2010

IN THE MATTER OF

DG (I&R)

VERSUS

M/S. HARYANA URBAN DEVELOPMENT AUTHORITY

**APPEARANCES : Shri Om Prakash, STA for the DG
(I&R).**

None for the respondent.

The matter is fixed for Admission/Denial of the Respondent's documents.

The admission/denial has not taken place today as the respondent is not represented.

The matter shall be placed before the Hon'ble Tribunal on the date fixed, i.e., 07.12.2010.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

UTPE 87/2006

01.12.2010

IN THE MATTER OF

DG (I&R)

VERSUS

M/S. NATIONAL AVIATION OF INDIA & OTHERS

APPEARANCES : Shri Om Prakash, STA for DG (I&R).
Shri Abhinav Verma, proxy counsel for
Shri Ashish Makheeja, advocate for
respondent No. 1 and 6.
Shri D. Bhattacharya, advocate for
respondent No. 2.
Shri Shyam D. Nandan, proxy for Shri
Subramanyam Prasad, advocate for
respondent No. 3
Shri Abhijeet Swaroop, advocate for
respondent No. 4.

The matter is fixed for Admission/Denial of the Respondent's documents.

The DG (I&R) states that the documents are filed only by respondent No. 1 and 6. The DG (I&R) denied the documents at serial No. 1 and 2 filed along with the affidavit of respondent No. 1, dated 15.07.2010. Receipt alone of the document at serial No. 3 is admitted and its contents are denied.

Similarly, the DG (I&R) has denied the documents at serial No. 1 & 2 filed along with the affidavit of respondent No. 6, dated 15.07.2010. Receipt alone of the document at serial No. 3 is admitted and its contents are denied.

The matter shall be placed before the Hon'ble Tribunal on the date fixed, i.e., 08.12.2010.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

UTPE 113/2007

01.12.2010

IN THE MATTER OF

RADHIKA LAL & ANR.

VERSUS

M/S. BUILDAGE TIMBER (P) LTD.

**APPEARANCES : Shri Om Prakash, advocate alongwith
the complainant No. 3.
Shri M.D. Kamal, advocate for the
respondent.**

The matter is fixed for Admission/Denial of the Complainant's documents.

The learned counsel for the respondent admitted the documents at serial No. 1, 2, 3, 13 and 14 filed along with the original complaint dated 02.02.2007. It is stated that the documents at serial No. 10, 11, 12, 15, 16 and 17 does not pertain to the respondent. All the other six documents filed along with the complainant are denied by the respondent.

It is stated that the documents filed along with the rejoinder dated 30.04.2008 and the documents filed on 01.04.2009 does not pertain to the respondent.

The matter shall be placed before the Hon'ble Tribunal on the date fixed, i.e., 09.12.2010.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

UTPE 92/2007

01.12.2010

IN THE MATTER OF

DG (I&R)

VERSUS

M/S. H.D.F.C. BANK

**APPEARANCES : Shri Om Prakash, STA for the DG
(I&R)**

**Shri Lakim Chand, advocate for the
respondent**

The matter is fixed for Admission/Denial of the Respondent's documents.

The admission/denial has not taken place today.

The matter shall be placed before the Hon'ble Tribunal on the date fixed. i.e., 07.12.2010.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

CA 91/2005

01.12.2010

IN THE MATTER OF

STERLING AGRO INDUSTRIES LTD.

VERSUS

M/S. TURBO PRECISION ENG. PVT. LTD.

APPEARANCES : Shri T.C. Singhal, advocate for the applicant.

Shri Swapnil Verma, proxy for Shri Nikhil Nayyar, advocate for the respondent.

The matter is fixed for Admission/Denial of the Respondent's documents.

The learned counsel for the applicant admitted the documents marked as exhibits 3, 4 and 5 filed along with the affidavit dated 10.11.2010. Admitted the exhibit no.1. Receipt alone of the documents at serial No. 2 and 6 is admitted and its contents are denied.

The matter shall be placed before the Hon'ble Tribunal on the date fixed, i.e., last week of January, 2011.

(V. Sreenivas)
Deputy Director (E)