

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

CA 133/2000

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Krishna Corporation

.....Complainant

Vs.

Gujrat Alkalies & Chemicals Ltd.

.....Respondent

Appearances : Shri R.D.Chauhan with Shri Arun K.Chauhan,
Advocates for the applicant

Ms. Garima Prashad with Shri Nimish Raja,
Advocates for the respondent

Oral Order

17th August 2010

This is an application filed under Section 12 – B of the Monopolies and Restrictive Trade Practices Act, 1969 (In short “The Act”). The applicant has claimed compensation on the following premises :-

The applicant was appointed as an authorized dealer for sale of Caustic Soda etc. by the respondent. A deposit of Rs. 10.00 Lakhs was made with the respondent. After being appointed, the applicant took effective steps for popularizing the product of the respondent and due to its efforts, the product became popular. It was agreed that the applicant shall be entitled to commission @ Rs. 500/- per M.T. Contrary to the assurance, the respondent refused to pay any commission. The commission was

demanded on several dates since 1995. The compensation as claimed is as follows:-

Sr. No.	Particulars	Amount Rs.	Remarks
1.	Deposit	10,00,000	Paid as dealership Deposit
2.	Commission on Sales to Cyanide & Chemicals Co. Ltd.	2,70,368	Dealership Commission
3.	Interest	4,50,000	@18% p.a. from 01.04.97 to 30.09.99
		----- 17,20,368	
	Less: Amount outstanding to be paid by us	8,70,634	
	BALANCE DUE FROM GACL	----- 8,49,734 -----	

In its reply, the respondent have denied that there was any agreement for payment of Rs. 500 per M.T. as commission. The claim made relates to the period from November, 1994 to March, 1995 and since the compensation application has been filed after a long lapse of time, the application is time barred. Additionally, it is submitted that the applicant sold the product adding its own margin as would be evident from the following details.

GACL Bill No.	GACL Bill Date	GACL Bill Amount (Rs.)	GACL Billing Rate Rs./MT	Krishna Bill No.	Krishna Bill Date	Krishna Bill Amount (Rs.)	Krishna Billing Rate Rs./MT	Difference in Rate Rs./MT
13844	13.1.95	136017	20023.20	294	13.1.95	138394	20373	350
11208	22.11.94	97360	16544.00	120/187	22.11.94	99422	16874	350
10936	17.11.94	107389	16524.00	113/180	17.11.94	109664	16874	350
11876	5.12.94	116168	17172.00	148/213	5.12.94	118536	17522	350

Evidence has been led by the parties.

The basic stand of the applicant is that he was entitled to the commission @ Rs. 500 per M.T. which it was demanding from the respondent. On the contrary, the respondent's stand is that the applicant, on its own, raised bills for higher amounts including the commission which was essentially the dealer's margin of Rs. 350/- per M.T.

It is fairly accepted by the applicant that there was no written agreement to show that the respondent had agreed to pay Rs. 500/- as commission per M.T. Though it was stated that there was an oral agreement, obviously such a situation cannot be conceived in law because the respondent is a limited company and there cannot be any oral agreement by a company. In this case, there is total lack of material and evidence to substantiate the claim of the applicant. That being so, the application is not entertained and is dismissed.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

CA 20/2009

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 Shiv Enterprises**Complainant**

Vs.

M/s Global Automobiles Ltd.**Respondent**

Appearances : Shri C.M.Sharma, Advocate for the applicant

None for the respondent

Oral Order
17th August 2010

A prayer is made on behalf of Shri C.M.Sharma, Advocate for the applicant stating that he has been instructed to appear in this case.

The matter shall be listed on 9th November 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

UTPE 104/2001

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Kamlesh & Others

.....Complainant

Vs.

NOIDA

.....Respondent

Appearances : Shri Uchit Bhandari, Advocate for the complainant

Shri U.N.Sin, Proxy advocate for Shri Ravinder Kumar, Advocate for the respondent

Oral Order

17th August 2010

A prayer for adjournment is made on behalf of the counsel for the respondent, list this matter on 19th August 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

RTPE 45/2006

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

DG(I&R)Complainant

Vs.

Rellis India Ltd.Respondent

Appearances : ADG for the DG

Shri Aditya Narain, Advocate for the respondent

Oral Order

17th August 2010

The affidavit of evidence of respondent's witness shall be filed during the course of the day as undertaken.

The matter shall be listed on 19th November 2010 for cross-examination of the respondent's witness.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

IA 45/2009
UTPE 29/2008

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

DG(I&R)

.....Complainant

Vs.

**Delhi-Gurgaon Super Connectivity
(formerly Jaypee DSC Venture Ltd.)**

.....Respondent

Appearances : DDG for the DG

**Shri Akashdeep Kakkar, Advocate for R-1
Shri Ashim Bhatt with Shri Ranjit Sharma,
Advocates for R-2
Shri Yashpal Rangji, Advocate for R-5**

Oral Order

17th August 2010

R-2 has filed reply to the Notice of Enquiry. Learned counsel for R-1 states that the reply to the Notice of Enquiry shall be filed during the course of the day. No reply has been filed by R-3, 4 & 5. The DG is granted four week's time to file its response to the reply, if any.

The matter shall be listed on 9th November 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

UTPE 61/2008

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

DG(I&R)Complainant

Vs.

D.S.ConstructionsRespondent

Appearances : DDG for the DG

**Shri Yashpal Ranghi, Advocate for the
respondent**

Oral Order
17th August 2010

This matter shall be listed along with UTPE No. 29/2008 on 9th
November 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

UTPE 69/2008

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

DG(I&R)

.....Complainant

Vs.

Vodafone Essar Mobile Services
Ltd.

.....Respondent

Appearances : DDG for the DG

Shri Navin Chawla, Advocate for the respondent

Oral Order

17th August 2010

This matter shall be listed on 9th November 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

UTPE 78/2008

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Nitya Nand Yadav

.....Complainant

Vs.

SRM University

.....Respondent

Appearances : None

Oral Order

17th August 2010

Notice of Enquiry has been issued to the respondent. No reply has been filed.

The matter shall be listed on 11th November 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

UTPE 152/2008

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

DG(I&R)Complainant

Vs.

Akums Drugs & Pharmaceuticals Ltd.
& Others.Respondent

Appearances : DDG for the DG

Ms. Preeti Gupta, Advocate for R-1
Dr. V.K.Aggarwal, Advocate for R-2

Oral Order
17th August 2010

Replies and rejoinders have been filed by the parties. The following issues are framed:-

1. Whether the respondents have indulged in unfair trade practices as alleged ?
2. If the answer to the first question is in the affirmative, whether any public interest is involved?

The affidavit of evidence of the applicant's witness shall be filed. If any documents are filed, admission/denial shall take place on 25th

October 2010 and the matter shall be listed on 12th November 2010
for cross-examination of the applicant's witness.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

UTPE 83/2008

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

DG(I&R)Complainant

Vs.

Nestle India Ltd. & OthersRespondent

Appearances : DDG for the DG

Shri Aditya Narain, Advocate for R-2
Shri Kalyan V. Advocate for R-3 & 13
Shri Susmit Pushkar, Advocate for R-5
Shri Ajay K.Saroya, Advocate for R-6
Shri Nikhil Goel, Advocate for R-8
Shri Varun Singh, Advocate for R-11
Shri Ranjan Kumar with Shri Ravi Gopal,
Advocates for R-13
Shri Anil K.Kher, Advocate for R-15
Shri Sudhir K.Makkar, Advocate for R-16
Shri Deepak Kumar Jena, Advocate for R-17

Oral Order

17th August 2010

The reply to the Notice of Enquiry shall be filed by the respondents within four weeks. Rejoinder, if any, shall be filed within three weeks.

The matter shall be listed on 12th November 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

CA 80/2008

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Mrityunjay Seal

.....Complainant

Vs.

Great Astern Appliances Pvt.
Ltd. & Ors.

.....Respondent

Appearances : Ms. Sounmitra Chatterjee, Advocate for the
applicantt

Shri Rajesh Sharma, Advocate for R-1 & 2
Shri Rajneesh Sharma, Advocate for R-3

Oral Order

17th August 2010

Issue fresh Notice to R- 1 & 2. Dasti service, in addition, is permitted.

List on 12th November 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

CA 81/2008

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Shri Baldevraj KapoorComplainant

Vs.

Bedi Transport ServiceRespondent

Appearances : Applicant in person

Shri H.R.Jha, Advocate for R-1
Shri N.K.Khatri, Advocate for R-2

Oral Order
17th August 2010

List this matter on 12th November 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

MA 15/2008
UTPE 117/1996

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Sudha Gupta**Complainant**

Vs.

D.L.F. Universal Ltd.**Respondent**

Appearances : Applicant in person

Shri S.Deb, Advocate for R-1
Shri Ajay Goel, Advocate for R- 2 & 3

Oral Order
17th August 2010

A copy of the note submitted by R-1 shall be supplied to the applicant who appears in person. This UTPE is of the year 1996. One Misc. Application has been filed in 2008. The acceptability of that petition can be dealt with when the UTPE is taken up for disposal.

List this matter on 9th November 2010 for disposal of UTPE.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

MA 42/2004

MA 12/2009

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Sarvesh Chopra

.....Complainant

Vs.

Kotak Securities & Ors.

.....Respondent

Appearances : Applicant in person

Shri Aditya Narain, Advocate for the respondent

Oral Order

17th August 2010

At the request of the applicant, the matter shall be listed on 12th
November 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

MA 05/2010
CA 115/2006

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Mrs. Durga Chaudhary**Complainant**

Vs.

Rajni Properties Pvt. Ltd.**Respondent**

Appearances : Shri D.S.Chauhan, Advocate for the applicant

None for the respondent

Oral Order
17th August 2010

Call for the records of UTPE 34/1997 of Mrs. Durga Chaudhary
Vs. Rajni Properties Pvt. Ltd.

This application shall be considered after examining the
records of UTPE.

List this matter on 12th November 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

UTPE 62/2008

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

DG(I&R)Complainant

Vs.

M/s Tata Sky Ltd. & Anr.Respondent

Appearances : DDG for the DG

Shri Nitin Bhatia, Advocate for the respondent

Oral Order
17th August 2010

Copy of the application be supplied to the respondent. Reply, if any, shall be filed within four weeks. Rejoinder, if any, shall be filed within three weeks.

The matter shall be listed on 12th November 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

30(97)UTPE

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Kusum Lata**Complainant**

Vs.

Samsung India Electronics Pvt. Ltd.**Respondent**

Appearances : None for the parties

Oral Order

17th August 2010

We have perused the application and are of the view that no case of issuance of "Notice" is made out as it is not clear as to whether the nature of the grievance of the applicant comes under the provisions of the Monopolies and Restrictive Trade Practices Act, 1969 (In short "The Act"). The petition is closed.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

CA 18/2009

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Shri Sidharth ChakravartyComplainant

Vs.

M/s Hindustan Group of Institutions
And Ors.Respondent

Appearances : Shri Vinod Bhaskar and Shri Sanjeev Sharda,
Advocates for the applicant

Oral Order
17th August 2010

Issue Notice to the respondent. Reply, if any, shall be filed within four weeks. Rejoinder, if any, shall be filed by the end of October 2010.

The matter shall be listed on 9th November 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

MA 06/2010 : Sushil Kumar Gard
CA 116/2008

CA 117/2008 : Amit Kumar Garg
CA 118/2008 : Rekha Garg
CA 119/2008 : Pushpa Garg
CA 120/2008 : Sunil Kumar Garg
CA 121/2008 : Sudha Garg
CA 122/2008 : Shayam Garg
CA 123/2008 : Anju Garg
CA 124/2008 : Ashish AggarwalComplainants

Vs.

Alliance Nirman Ltd. & Anr.Respondent

Appearances : Shri Anesh Paul, Advocate for the applicants

Shri Karan Lahiri, Advocate for R-1 & 2

Oral Order
17th August 2010

As a last chance, four week's time is granted to the applicants to file the affidavit of evidence with documents, if any. If any documents are filed, the admission/denial shall take place on 26th October 2010.

Reply to Misc. Application No. 6/2010 filed under Section 52-B of the Monopolies and Restrictive Trade Practices Act, 1969 (In short

“The Act”) has been filed by the applicant. Rejoinder, if any, shall be filed within two weeks.

The matter shall be taken up on 12th November 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

CA 67/2000

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Ganesh Quarry WorksComplainant

Vs.

Larsen & Toubro Ltd.Respondent

Appearances : None for the applicant

Shri R.R.Kumar, Advocate for the respondent

Oral Order

17th August 2010

None appears for the applicant. Similar was the position on 28th April 2010.

The matter is dismissed for non prosecution as none appears for the applicant.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

CA 591/2000

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Akhilmay Flyash Products Pvt. Ltd. **.....Complainant**

Vs.

Vishwa Industries **.....Respondent**

Appearances : None for the parties

Oral Order
17th August 2010

None appears for the parties. This matter is of the year 2002.
The petition is dismissed for non prosecution.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

UTPE 45/2002

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Bureau of Indian Standard

.....Complainant

Vs.

Manikanchan Jewellers Pvt. Ltd.

.....Respondent

Appearances : None for the applicant

Shri Anurag Sharma with Shri Hemant Singh
and Ms. Mridul Chakaravarty, Advocates for the
respondent

Oral Order
17th August 2010

None appears for the applicant. The Order dated 17th February 2010 is set-aside. The respondent is granted time to cross-examine the complainant's witness.

The matter shall be listed on 16th November 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

CA 05/2004

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Swastik Roofing Ltd.

.....Complainant

Vs.

Central Bank of India & Anr.

.....Respondent

Appearances : Shri Shankar Divate, Advocate for the applicant

Shri J.Das, Advocate for the respondent

Oral Order

17th August 2010

The matter shall be listed on 8th November 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

CA 94/2007

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Shri Atul Jain**Complainant**

Vs.

M/s Central Himalayan Land
Development Co. Ltd.**Respondent**

Appearances : Shri Bishwajit Das, Advocate for the applicant

Shri Rajeev, Advocate for the respondent

Oral Order
17th August 2010

It is stated that presently Shri Deepak Ahuja, Assistant General Manager (Legal), is the present. Affidavit of this witness shall be filed within four weeks.

List on 8th November 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

RTPE 07/2009

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Manoj ManglamComplainant

Vs.

Force Motors Ltd. & OthersRespondent

Appearances : Shri K.Anand Singh, Advocate for the
complainant

Shri Varun Singh, Advocate for R-1

Oral Order

17th August 2010

As a last chance, time is granted to file the affidavit of evidence within four week. If any documents are filed, admission/denial shall take place on 29th October 2010.

The matter shall be listed on 8th November 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

Contempt 04/2008

MA 15/2008

RTPE 03/2000

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

DG(I&R)Complainant

Vs.

All India Motors Transport CongressRespondent

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

None for the respondent

Oral Order

17th August 2010

None appears for the respondent. On 29.1.2010, a prayer was made on behalf of the respondent to make submission in this proceeding. The matter was adjourned to 8th April 2010 when none appeared for the respondent.

We have heard Shri Makheeja, Advocate for the DG. The hearing is closed. Making submissions, if any, within two weeks.

Order reserved.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

UTPE 72/2008

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

DG(I&R)Complainant

Vs.

Aditya Birla DetailRespondent

Appearances : DDG for DG

Shri Arun Kumar, Advocate for the respondent

Oral Order
17th August 2010

We have perused the undertaking given by the respondent under Section 36D(2) of the Monopolies and Restrictive Trade Practices, Act, 1969 (In short "The Act"). It is stated in the undertaking that the scheme has been discontinued and the respondent company does not intend to repeat it. In view of this, the proceedings are closed.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

CA 90/2007

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Divya EnterprisesComplainant

Vs.

Yamaha Motors (I) Pvt. Ltd.Respondent

Appearances : None for the applicant

Shri Lalan Sinha, Advocate for the respondent

Oral Order
17th August 2010

None appears for the applicant. Admission/denial has not taken place as none appeared before the designated official on 9th August 2010. The evidence of the applicant is closed. The respondent shall file the affidavit of evidence and the documents, if any, within four weeks. If any documents are filed, admission/denial shall take place on 27th October 2010.

The matter shall be listed on 12th November 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

CA 328/1999

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

**Hon'ble Shri Rahul Sarin,
Member**

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

In the matter of :

Lohadia Sizing IndustriesComplainant

Vs.

Unitech Industries & Anr.Respondent

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

None for the respondent

**Oral Order
17th August 2010**

Affidavit of evidence and documents of the respondent have not been filed. So, the evidence of the respondent is closed.

The matter shall be listed for arguments on 8th November 2010.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

RA 13/2010

In

UTPE 21/2004

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Dr. P.C.RishiComplainant

Vs.

Ambit Corpn. & OthersRespondent

Appearances : Shri Daleep Kumar, Advocate for the
complainant

Shri C.M.Sharma, Advocate for R-1 & 3

Oral Order

17th August 2010

The Order dated 23.2.2010 is recalled. UTPE 21/2004 is registered to its original position.

The matter shall be listed on 9th November 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

RTPE 16/2002

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Pankaj Varshney**Complainant**

Vs.

UPSIDC**Respondent**

Appearances : None for the complainant

Shri Rajesh Raina, Advocate for the respondent

Oral Order
17th August 2010

None appears for the applicant. The calculation sheet has been filed and a copy has been supplied to the learned counsel for the applicant.

The matter shall be listed on 16th November 2010. The evidence of the respondent's witness is closed.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

UTPE 103/2002
CA 155/2002

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Avalon Media Entertainment (P) Ltd. Complainant

Vs.

Real Image Media Technologies (P) Ltd. Respondent

Appearances : Shri Sachin Gupta, Advocate for the
Complainant

Shri Vikram Dhokalia, Advocate for the
respondent

Oral Order
17th August 2010

Cross-examination deferred. At the request of the learned counsel for the applicant, the matter is listed on 8th November 2010.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

UTPE 103/2002
CA 155/2002
17th August 2010

Statement of Shri Prerak Mehta S/o Shri Kirtikant Mehta resident of Mumbai

I have seen the affidavit dated 22.10.2009. It has been sworn and signed by me. It is exhibited as RW 1.

Cross-examination by Shri Sachin Gupta, Advocate for the complainant

I am working as a Manager of the respondent company.

I have been working in the respondent company for more than nine months.

I am authorized to depose on behalf of the respondent company.

I can file the documents to show that I am authorized to depose on behalf of the respondent. (Three week's time is granted to file the documents).

My affidavit is prepared by my Legal Head of our company.

I signed the affidavit in Mumbai on 29th September 2009.

I have read the complaint.

Mr. P.Murlikrishanan has signed the reply on behalf of the respondent.

I know that Ms. Kavita Jha was the Regional Manager of the Mumbai Branch of the company.

The system was sold to Shri A.D.Singh of Hansapictures (P)
Ltd.

Cross-examination deferred.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

RO&AC