

**COMPETITION APPELLATE TRIBNAL**

**No. 30(64)UTP/2009**

**CORAM**

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

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

**IN THE MATTER OF**

Suresh P. Manglaw & anr. ....Complainants

*Versus*

H.S.B.C. Bank ...Respondent

**Appearances:** Dr. V. K. Aggarwal, Advocate for the Complainant

**ORAL ORDER**  
18-03-2010

Issue Notice to the respondent returnable on 20<sup>th</sup> July 2010.

**[Dr. Arijit Pasayat]  
Chairman**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**No. 30(77)UTP/2009**

**CORAM**

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

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

**IN THE MATTER OF**

Samay Singh ...Complainant

*Versus*

Whirlpool of India ...Respondent

**Appearances:** None

**ORAL ORDER**  
18-03-2010

None appears for the applicant. The petition is dismissed for non-prosecution.

**[Dr. Arijit Pasayat]  
Chairman**

**[Pravin Tripathi]  
Member**



**COMPETITION APPELLATE TRIBNAL**

**C.A. No. 49/2006**

**CORAM**

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

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

**IN THE MATTER OF**

Naveen Kumar Sharma .....Applicant

*Versus*

Sree Baidyanath Ayurved & ors. ...Respondents

**Appearances:** None for the Applicant  
Ms. Gulshan Johar, Advocate for the respondent

**ORAL ORDER**  
18-03-2010

None appears for the complainant. Respondent is represented by the counsel. The petition is dismissed for non-prosecution.

**[Dr. Arijit Pasayat]  
Chairman**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**UTPE No. 13/2007**

**C.A. 54/2004**

**CORAM**

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

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

**IN THE MATTER OF**

J.V.C. Industrial Corporation

...Complainant

*Versus*

Exide Industries Ltd.

...Respondent

**Appearances:** Mr. Danish, Advocate for the Complainant  
Mr. Biswajit Dubey, Advocate for the respondent

**ORAL ORDER**

18-03-2010

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

**[Dr. Arijit Pasayat]  
Chairman**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**UTPE No. 08/2007**

**CORAM**

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

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

**IN THE MATTER OF**

Smt. Dubish .....Complainant

*Versus*

NOIDA ...Respondent

**Appearances:** Mr. Manoj R. Sinha, Advocate for the Complainant  
None for the respondent

**ORAL ORDER**

18-03-2010

Though opportunity was granted to the respondent on two occasions i.e. 8<sup>th</sup> April, 2009 and 22<sup>nd</sup> July, 2009 same has not been availed. On 22<sup>nd</sup> July, 2009 it was indicated in the order that last and final opportunity was granted to the respondent to comply with the directions. None appears for the respondent as noted above. Issue Notice to the respondent to Show Cause as to why punitive action shall not be taken for non-compliance of the order of the Commission dated 14<sup>th</sup> August, 2008. List the matter on 28<sup>th</sup> July, 2010.

A copy of the order be sent to the Chief Executive Officer of the Respondent Authority bringing to his notice of the callous attitude of the official in not complying with the order of the Commission and even not remaining present when the matter was taken up.

**[Dr. Arijit Pasayat]  
Chairman**

**[Pravin Tripathi]  
Member**



**COMPETITION APPELLATE TRIBNAL**

**UTPE No. 15/2007**

**C.A. No. 171/2006**

**CORAM**

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

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

**IN THE MATTER OF**

P.S. Sales Corporation ...Complainant

*Versus*

Hindustan Unilever Ltd. ...Respondent

**Appearances:** None for the Complainant  
Dr. V. K. Aggarwal, Advocate for the respondent

**ORAL ORDER**

18-03-2010

The complainant who is not represented even the matter was passed over once. A prayer for adjournment is made on behalf of the learned counsel for the complainant. The matter is adjourned to 28<sup>th</sup> July, 2010.

**[Dr. Arijit Pasayat]  
Chairman**

**[Pravin Tripathi]  
Member**



**COMPETITION APPELLATE TRIBNAL**

**RTPE No. 02/2008**

**CORAM**

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

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

**IN THE MATTER OF**

Adlobes Films Pvt. Ltd. ....Complainant

*Versus*

Rajasthan Patrika Pvt. Ltd. ...Respondent

**Appearances:** Mr. Rishi Agarwal, Advocate for the complainant  
Mr. Manoj Gera, proxy for Mr. R. D. Makheeja,  
Advocate Amicus Curiae  
Mr. Prateek Kasliwal, Advocate for the respondent

**ORAL ORDER**  
18-03-2010

In this case Mr. R. D. Makheeja, Advocate is appointed as Amicus Curiae. It is stated that learned counsel Mr. Makheeja is not well. The matter is adjourned to 21<sup>st</sup> July 2010.

**[Dr. Arijit Pasayat]  
Chairman**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**RTPE No. 12/2009**

**CORAM**

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Ms. Pravin Tripathi  
Member

**IN THE MATTER OF**

D.G. ( I & R )

....Complainant

*Versus*

M/s. Bharti Airtel Pvt. Ltd.

...Respondent

**Appearances:** Mr. C. Shanmugam, ADG for the D.G. [ I & R ]  
Mr. Aditya Narain, Advocate for the respondent

**ORAL ORDER**

18-03-2010

It appears that order dated 10<sup>th</sup> December2009 has not been sent to R-2. It should be done. The matter is adjourned to 22<sup>nd</sup> July 2010.

**[Dr. Arijit Pasayat]  
Chairman**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**M.A. No. 17/2009**  
**RTPE No. 142/2000**

**CORAM**

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

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

**IN THE MATTER OF**

D.G. [ I & R ] ...Complainant

*Versus*

I.C.I. India Ltd. ...Respondent

**Appearances:** Mr. Manoj Gera, proxy for Mr. R. D. Makheeja,  
Advocate for the D.G. [ I & R ]  
Mr. Aditya Narain, Advocate for the respondent

**ORAL ORDER**  
18-03-2010

Prayer for adjournment is made on the ground that Mr. R. D. Makheeja, advocate for D.G. [ I & R ] is not well. The matter is adjourned to 23<sup>rd</sup> July, 2010.

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

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



**COMPETITION APPELLATE TRIBNAL**

**C.A. No. 52/2006**

**CORAM**

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

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

**IN THE MATTER OF**

Cap. Ashish Rai Singhania ....Applicant

*Versus*

ICICI Home Finance Co. ...Respondent

**Appearances:** Mr. K.L. Singhania, A/R for the Applicant  
None for the respondent

**ORAL ORDER**  
18-03-2010

The matter is adjourned to 27<sup>th</sup> July, 2010.

**[Dr. Arijit Pasayat]  
Chairman**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**C.A. No. 54/2006**

**CORAM**

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

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

**IN THE MATTER OF**

Sidharth Telecom ....Applicant

*Versus*

BPL Telcom Ltd. ...Respondent

**Appearances:** None for the Applicant  
Mr. K. S. Baburam, A/R for the respondent

**ORAL ORDER**  
18-03-2010

A communication has been received from the applicant praying for an adjournment. List the matter on 26<sup>th</sup> July, 2010.

**[Dr. Arijit Pasayat]  
Chairman**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**UTPE No. 12/2007**

**CORAM**

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

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

**IN THE MATTER OF**

Kanhya Lal

....Complainant

*Versus*

Hutch Mobiles Co.

...Respondent

**Appearances:** Complainant in person  
Mr. Ajit Kumar Singh, Advocate for the respondent

**ORAL ORDER**  
18-03-2010

Order dated 21<sup>st</sup> August 2009 be complied with. The matter  
is adjourned to 26<sup>th</sup> July, 2010.

**[Dr. Arijit Pasayat]  
Chairman**

**[Pravin Tripathi]  
Member**

## COMPETITION APPELLATE TRIBNAL

RTPE No. 83/2000

### CORAM

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

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

### IN THE MATTER OF

D.G. [ I & R ]                                      ....Complainant

*Versus*

Cement Manufacturers' Association  
& others    ...Respondents

**Appearances:** Mr.V. K. Mehta, Advocate for the D.G. [ I & R ]  
Mr. N. Jayakumar, Advocate for the Informant  
Mr. R. R. Kumar, Advocate with Ms. Vernika Tomar,  
Advocates for R-2  
Mr. Hari Shankar, Advocate with Mr. Vikas Singh,  
Advocates for R-4 & R-5  
Mr. Dhruv Dewan, Advocate for R-3

**ORAL ORDER**  
18-03-2010

In order sheet dated 6<sup>th</sup> November, 2009 it shall be indicated that Mr. R. R. Kumar is Advocate for R-2, Ms. Jasleen Oberoi, Advocate for R-3 and the cross-examination of D.G. [ I & R ]'s witness by the learned counsel for R-2 and R-3.

Cross-examination of R-2's witness, Mr. Narendra Kumar Mimizi, is deferred. The matter is adjourned to 28<sup>th</sup> July, 2010 for further cross-examination of R-2's witness. Though the witness of R-3 is present, his cross-examination is deferred till cross-examination of R-2's witness completed.

**[Dr. Arijit Pasayat]**  
Chairman

**[Pravin Tripathi]**  
Member



**COMPETITION APPELLATE TRIBNAL**

**C.A. No. 53/2006**

**CORAM**

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

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

**IN THE MATTER OF**

M.P. Singh .....Applicant

*Versus*

Ghaziabad Development Authority ...Respondent

**Appearances:** Applicant in person  
Mr. Roshan chapagain, proxy for Ms. Reena Singh,  
Advocate for the respondent

**ORAL ORDER**  
18-03-2010

Copies of the annexures shall be supplied to the learned counsel  
for the respondent within a week. List this matter on 12<sup>th</sup> May, 2010.

**[Dr. Arijit Pasayat]**  
Chairman

**[Pravin Tripathi]**  
Member

**COMPETITION APPELLATE TRIBNAL**

**C.A. No. 58/2006**

**CORAM**

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

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

**IN THE MATTER OF**

S. S. Kohli ....Applicant

*Versus*

Standard Chartered Bank & Ors. ...Respondents

**Appearances:** None for the Applicant  
Mr. Himanshu Anand, Advocate for the respondent  
Nos. 1 to 4

**ORAL ORDER**  
18-03-2010

No one appears for the applicant. The petition is dismissed for non-prosecution.

**[Dr. Arijit Pasayat]  
Chairman**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**UTPE No. 07/2007**

**CORAM**

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

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

**IN THE MATTER OF**

D.G. [ I & R ] ...Complainant

*Versus*

H.U.D.A. ...Respondent

**Appearances:** Mr. C. Shanmugam, ADG for the D.G. [ I & R ]  
Mr. Sanjay Singh, Advocate for the respondent

**ORAL ORDER**  
18-03-2010

The respondent shall file the affidavit of evidence and the documents within three weeks. If it is done, admission/denial of the documents shall take place on 11<sup>th</sup> May, 2010 and the matter shall be listed on 27<sup>th</sup> July, 2010 for cross-examination of the respondent's witness.

**[Dr. Arijit Pasayat]  
Chairman**

**[Pravin Tripathi]  
Member**

**COMPETITION APPELLATE TRIBNAL**

**UTPE No. 09/2007**

**C.A. No. 19/2005**

**CORAM**

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

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

**IN THE MATTER OF**

Rajeev Kumar Saxena ...Complainant

*Versus*

U.P. Avas Vikas Parishad ...Respondent

**Appearances:** Mr. U.N. Shukla, Advocate for the Complainant  
None for the respondent

**ORAL ORDER**

18-03-2010

Though the witness of the complainant is present none appears for the respondent to cross-examine the witness. The evidence of the complainant is closed. If the respondent has evidence to file, let it be done by filing the affidavit of evidence within four weeks. If any documents are filed, admission/denial of the documents shall take place on 12<sup>th</sup> May, 2010 and thereafter the matter shall be listed on 29<sup>th</sup> July, 2010 for cross-examination of the respondent's witness.

**[Dr. Arijit Pasayat]  
Chairman**

**[Pravin Tripathi]  
Member**

## COMPETITION APPELLATE TRIBNAL

RTPE No. 83/2000

Statement of Shri Narender Kumar, s/o late Shri Gordian Das Mimani, General Manager of Grasim Industries, Royal Building, 23 Anna Salai, Little Mount, Saidapet Chennai – 11.

### On Oath

I have seen the affidavit dated 25.2.2010 which have been sworn and signed by me. This is exhibited as RW2/1.

### Cross-examination of the witness by Shri V.K. Mehta, advocate for the D.G. [ I & R ]

I am neither the Manager nor an employee of Respondent No. 2. I am a Power of Attorney holder of R-2 and I shall file the document in this regard if time is granted.

(The witness is granted two weeks time to file the document subject to the objections, if any, by the D.G.).

The details regarding the criminal proceedings and the civil proceedings in respect of the alleged dishonoured cheques are with the Larsen & Toubro Limited. So far as the present status of the cases are concerned, I am not fully aware of the latest stage of the cases. I shall be able to co-relate the proceedings in regard to 40 cheques which were dis-honoured.

(The witness is granted three weeks time for the aforesaid purpose. This is subject to the objections, if any, by the D.G. [ I & R ] ).

The witness prays for three weeks time to file documents to show that the cheques were issued in discharge of the debts / liabilities.

(The witness is granted four weeks time for the aforesaid purpose. This is subject to the objections, if any, by the D.G. [ I & R ] ).

Further cross-examination deferred.

**[Dr. Arijit Pasayat]  
Chairman**

**[Pravin Tripathi]  
Member**

**R.O. & A.C.  
18-03-2010**