

COMPETITION APPELLATE TRIBUNAL

UTPE 72/2007

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Japan Travel Service & Anr. ...Complainant

Vs.

All Nippon Airways Co. Ltd. ...Respondent

Appearances : Shri A.P. Singh, Advocate for the Complainant

Shri Alok Mahajan along with
Ms. Anjani Mahajan, Advocates for the
Respondent

ORAL ORDER

18th August 2010

Learned counsel for the respondent states that a Memorandum shall be filed indicating that the reply already filed to the complaint shall be treated to be reply to the Notice of Enquiry. Let the Memorandum be filed within two weeks.

The matter shall be listed on 16th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 91/2006

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Mahender Aggarwal ...Applicant

Vs.

Kotak Securities Ltd. ...Respondent

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

Shri M. Naseem, Advocate for the Respondent

ORAL ORDER

18th August 2010

As the pleadings are complete, the following issues are framed :

1. Whether the respondents have been indulging in unfair trade practices as alleged in the Compensation Application?
2. Whether in case of such alleged unfair trade practices are not prejudicial to the interest of consumer or consumers generally?
3. Relief, if any.

The affidavit of evidence along with the documents, if any, shall be filed within three weeks. In case, any documents are filed, the admission/denial shall take place on 28th October 2010.

The matter shall be listed on 16th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 77/2008

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Babita Saxena ...Applicant

Vs.

Nitishree Infrastructure Ltd. & Ors. ...Respondent

Appearances : Ms. Veena Goel, Advocate for the Applicant

Shri Rohit Sharma, proxy counsel for
Shri Brijesh Jha, Advocate for Respondent No.1-3

ORAL ORDER

18th August 2010

Rejoinder shall be filed in course of the day. The matter shall be
listed on 16th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 78/2008

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Rani Devi Saxena ...Applicant

Vs.

Nitishree Infrastructure Ltd. & Ors. ...Respondent

Appearances : Ms. Veena Goel, Advocate for the Applicant

Shri Rohit Sharma, proxy counsel for
Shri Brijesh Jha, Advocate for Respondent No.1-3

ORAL ORDER

18th August 2010

Rejoinder shall be filed in course of the day. The matter shall be
listed on 16th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

UTPE 47/2005

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. Gupta ...Complainant

Vs.

Jiwan Bima Rashtriya Sahkari Awas
Samiti Ltd. & Ors. ...Respondent

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

Shri Vishal Vats, Advocate for the Respondent

ORAL ORDER

18th August 2010

Issue Notice of Enquiry to the respondent. Reply shall be filed within four weeks. Rejoinder, if any, shall be filed within three weeks thereafter.

The matter shall be listed on 18th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 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:

M/s. Milk Food Ltd. ...Applicant

Vs.

Evergreen Shipping Agency India
Pvt. Ltd. & Ors. ...Respondent

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

Shri Manoj Khanna, Advocate for Respondent
No.1

ORAL ORDER

18th August 2010

As the pleadings are complete, the following issues are framed :

1. Whether the respondents have been indulging in unfair trade practices as alleged in the Compensation Application?
2. Whether in case of such alleged unfair trade practices are not prejudicial to the interest of consumer or consumers generally?
3. Relief, if any.

The affidavit of evidence along with the documents, if any, shall be filed within four weeks. In case, any documents are filed, the admission/denial shall take place on 25th October 2010.

The matter shall be listed on 18th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 23/2009

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Mr. Satish Chandra ...Applicant

Vs.

Ghaziabad Development Authority ...Respondent

Appearances : Shri Biswajit Singh, Advocate for the Applicant

Ms. Shanta Pandey, Proxy counsel for
Ms. Reena Singh, Advocate for the Respondent

ORAL ORDER

18th August 2010

Rejoinder, if any, shall be filed within four weeks. The matter shall be listed on 18th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

MA No. /2010
CA 24/2009

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. Orange Cabs Pvt. Ltd. ...Applicant

Vs.

ICICI Bank Ltd. ...Respondent

Appearances : Shri Jayendra Sewadar along with
Shri Chandan Sharma, Advocate for the Applicant

Shri Rishi Kapoor, Advocate for the Respondent

ORAL ORDER

18th August 2010

Learned counsel for the applicant states that he wants to withdraw the application to move the appropriate forum. The Compensation Application is, accordingly, disposed of.

In view of this, no further order needs to be passed in the CA, which is disposed of.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

MA No. /2010
CA 25/2009

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. Orange Cabs Pvt. Ltd. ...Applicant

Vs.

ICICI Bank Ltd. ...Respondent

Appearances : Shri Jayendra Sewadar along with
Shri Chandan Sharma, Advocate for the Applicant

Shri Rishi Kapoor, Advocate for the Respondent

ORAL ORDER

18th August 2010

Learned counsel for the applicant states that he wants to withdraw the application to move the appropriate forum. The Compensation Application is, accordingly, disposed of.

In view of this, no further order needs to be passed in the CA, which is disposed of.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

UTPE 122/2007

CORAM

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.

MRF Ltd. & Ors. ...Respondent

Appearances : Shri C. Shanmugam, ADG for the DG

Shri Aditya Narain, Advocate for Respondent
No.1

Shri Sudhir Vats along with

Shri Sanveer Mehlwal, Advocates for Respondent
Nos. 2, 3, 4, 5, 10, 15, 18, 19, 21, 24, 26, 29 & 33.

Ms. Kamakshi S. Mehlwal along with

Ms. Anita Sharma, Advocates for Respondent
Nos. 12, 14, 16, 17, 22, 23, 25 & 27.

Shri Satyam Khare, Advocate for Respondent
Nos. 28, 30, 31, 32 & 34.

Shri B.J. Daniel, Advocate for Respondent No. 35.

ORAL ORDER

18th August 2010

Copies of replies by the respondents are supplied to the representative of the DG. The rejoinders, if any, shall be filed within four weeks.

The matter shall be listed on 18th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 25/2007

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Laksh Deep Hospital

...Applicant

Vs.

Family Health Plan Ltd. & Anr.

...Respondent

Appearances : Shri S.K. Jha, Advocate for the Applicant

None for the Respondent

ORAL ORDER

18th August 2010

None appears for Respondent No.2. Steps for complying with the order dated 7th May 2010 shall be taken immediately. CA 25/2007, CA 38/2007, CA 49/2007 along with CA 37/2007 shall be listed on 19th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 38/2007

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Laksh Deep Hospital

...Applicant

Vs.

Family Health Plan Ltd. & Anr.

...Respondent

Appearances : Shri S.K. Jha, Advocate for the Applicant

None for the Respondent

ORAL ORDER

18th August 2010

Steps for complying with the order dated 7th May 2010 shall be taken immediately. CA 25/2007, CA 38/2007, CA 49/2007 along with CA 37/2007 shall be listed on 19th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 49/2007

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Laksh Deep Hospital

...Applicant

Vs.

Family Health Plan Ltd. & Anr.

...Respondent

Appearances : Shri S.K. Jha, Advocate for the Applicant

None for the Respondent

ORAL ORDER

18th August 2010

None appears for Respondent No.2. Steps for complying with the order dated 7th May 2010 shall be taken immediately. CA 25/2007, CA 38/2007, CA 49/2007 along with CA 37/2007 shall be listed on 19th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 37/2007

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Laksh Deep Hospital

...Applicant

Vs.

Family Health Plan Ltd. & Anr.

...Respondent

Appearances : Shri S.K. Jha, Advocate for the Applicant

None for the Respondent

ORAL ORDER

18th August 2010

Steps for complying with the order dated 7th May 2010 shall be taken immediately. CA 25/2007, CA 38/2007, CA 49/2007 along with CA 37/2007 shall be listed on 19th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

30(99)UTPE/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:

Suraj Patel ...Complainant

Vs.

L.G. Electronics India (P) Ltd. & Ors. ...Respondent

Appearances : None.

ORAL ORDER

18th August 2010

We have perused the reply given by the respondent.
Considering the reply, we are of the view that no infraction is made
out. Accordingly, the petition is disposed of.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

UTPE 48/2007

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Sh. Sitaram Bhuwalka & Ors. ...Complainant

Vs.

M/s. Beri & Beri Cold Storage &
General Mills Pvt. Ltd. & Ors. ...Respondent

Appearances : None for the Complainant.

Shri C.M. Sharma, Advocate for Respondent No.2

Shri Hari Tyagi, Advocate for Respondent No.3

ORAL ORDER

18th August 2010

None appears for the complainant. The order dated 5th May 2009 has not been complied with. Accordingly, this petition is dismissed.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL
UTPE 67/2007

CORAM

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.

Frontier Trading Transmission House ...Respondent

Appearances : Shri C. Shanmugam, ADG for the DG

ORAL ORDER

18th August 2010

It appears that the criminal case has been filed against the respondent. This fact has been noted in the PIR submitted by the DG.

Above is the position, it will not be necessary to deal with the matter for any alleged allegations of any provisions of the Monopolies and Restrictive Trade Practices Act [in short the 'Act']. The complaint does not make out a case of any violation under the provision of law. Accordingly, this petition is dismissed.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

UTPE 105/2008

CORAM

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.	
Dish TV	...Respondent

Appearances : Shri C. Shanmugam, ADG for the DG
Complainant in person

None for the Respondent

ORAL ORDER

18th August 2010

The complainant appears in person. A copy of the report submitted by the DG may be supplied to the complainant.

We have perused the PIR. It appears from the said report that there was renewal of the services on 25th August 2009 after the complaint was made on 23rd May 2008. This purportedly shows the complainant is satisfied with the services offered by the respondent. That being so, we close the proceedings.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

RTPE 23/2003

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Amit Securities Ltd. ...Complainant

Vs.

Dalimler Chrysler India (P) Ltd. & Anr. ...Respondent

Appearances : Shri Rahul Arora, Advocate for the Complainant

Shri M.S. Pandit along with
Shri Harish, Advocates for Respondent Nos. 1 & 2

ORAL ORDER

18th August 2010

At the request of the learned counsel for the complainant, the
matter is adjourned to 18th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

UTPE 170/2008

CORAM

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. Voda Fone Essar Service Ltd. ...Respondent

Appearances : Shri C. Shanmugam, ADG for the DG

ORAL ORDER

18th August 2010

We have perused the PIR submitted by the DG. It has been noted that no case of unfair trade practices is made out against the respondent. We accept the recommendations made by the DG. These proceedings are closed.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

IA 108/2008

RTPE 53/2008

CA 203/2008

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Rajiv Gupta ...Complainant

Vs.

Industrial Development Bank of India Ltd. ...Respondent

Appearances : None for the Complainant

Shri Rajesh Kumar, Advocate for the Respondent

ORAL ORDER

18th August 2010

None appears for the complainant. Similar was the position since 8th April 2009, the petitions are dismissed for non-prosecution.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

IA 63/2008

RTPE 37/2008

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Santosh Kumar Agarwal ...Complainant

Vs.

M/s. Purearth Infrastructure Ltd. & Anr. ...Respondent

Appearances : Shri Jeevan Prakash, Advocate for the
Complainant

Shri Dhruv Kapoor, Advocate for the
Respondents

ORAL ORDER

18th August 2010

These applications have been filed under Order 6 Rule 17 read with Section 151 CPC. The prayer is to amend the Notice of Enquiry and to amend the petition. So far as the amendment to the Notice of Enquiry is concerned, that cannot be done in terms of order under Order 6 Rule 17 read with Section 151 CPC. So far as the other prayer is concerned, that shall be considered when the RTPE is taken up for final disposal.

The matter shall be listed on 18th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

IA 64/2008

RTPE 38/2008

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Sh. Majoj Kr. Jain ...Complainant

Vs.

M/s. Purearth Infrastructure Ltd. & Anr. ...Respondent

Appearances : Shri Jeevan Prakash, Advocate for the
Complainant

Shri Dhruv Kapoor, Advocate for the
Respondents

ORAL ORDER

18th August 2010

These applications have been filed under Order 6 Rule 17 read with Section 151 CPC. The prayer is to amend the Notice of Enquiry and to amend the petition. So far as the amendment to the Notice of Enquiry is concerned, that cannot be done in terms of order under Order 6 Rule 17 read with Section 151 CPC. So far as the other prayer is concerned, that shall be considered when the RTPE is taken up for final disposal.

The matter shall be listed on 18th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

The matter shall be listed on 18th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

IA 66/2008

RTPE 40/2008

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. S.L.G. Estate Pvt. Ltd. ...Complainant

Vs.

M/s. Purearth Infrastructure Ltd. & Anr. ...Respondent

Appearances : Shri Jeevan Prakash, Advocate for the
Complainant

Shri Dhruv Kapoor, Advocate for the
Respondents

ORAL ORDER

18th August 2010

These applications have been filed under Order 6 Rule 17 read with Section 151 CPC. The prayer is to amend the Notice of Enquiry and to amend the petition. So far as the amendment to the Notice of Enquiry is concerned, that cannot be done in terms of order under Order 6 Rule 17 read with Section 151 CPC. So far as the other prayer is concerned, that shall be considered when the RTPE is taken up for final disposal.

The matter shall be listed on 18th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

IA 67/2008

RTPE 41/2008

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Shri Jai Kishan Singhal ...Complainant

Vs.

M/s. Purearth Infrastructure Ltd. & Anr. ...Respondent

Appearances : Shri Jeevan Prakash, Advocate for the
Complainant

Shri Dhruv Kapoor, Advocate for the
Respondents

ORAL ORDER

18th August 2010

These applications have been filed under Order 6 Rule 17 read with Section 151 CPC. The prayer is to amend the Notice of Enquiry and to amend the petition. So far as the amendment to the Notice of Enquiry is concerned, that cannot be done in terms of order under Order 6 Rule 17 read with Section 151 CPC. So far as the other prayer is concerned, that shall be considered when the RTPE is taken up for final disposal.

The matter shall be listed on 18th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

IA 68/2008

RTPE 42/2008

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. Zee Footwears Pvt. Ltd. ...Complainant

Vs.

M/s. Purearth Infrastructure Ltd. & Anr. ...Respondent

Appearances : Shri Jeevan Prakash, Advocate for the
Complainant

Shri Dhruv Kapoor, Advocate for the
Respondents

ORAL ORDER

18th August 2010

These applications have been filed under Order 6 Rule 17 read with Section 151 CPC. The prayer is to amend the Notice of Enquiry and to amend the petition. So far as the amendment to the Notice of Enquiry is concerned, that cannot be done in terms of order under Order 6 Rule 17 read with Section 151 CPC. So far as the other prayer is concerned, that shall be considered when the RTPE is taken up for final disposal.

The matter shall be listed on 18th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

UTPE 04/2006

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

V.P. Kardam ...Complainant

Vs.

Jiwan Bima Rashtriya Sahkari Awas
Samiti Ltd. & Ors. ...Respondent

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

Shri Vishal Vats, Advocate for the Respondent

ORAL ORDER

18th August 2010

Issue Notice of Enquiry to the respondent. Reply shall be filed within four weeks. Rejoinder, if any, shall be filed within three weeks thereafter.

The matter shall be listed on 18th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 90/2006

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Sardar Food Products

...Applicant

Vs.

Career Refrigeration Pvt. Ltd.

...Respondent

Appearances : Shri N. Prabhakar, Proxy counsel for the
Applicant

Manoranjan Sharma, Advocate for the
Respondent

ORAL ORDER

18th August 2010

Re-list the matter on 19th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 73/2008

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. Malbro Applications Pvt. Ltd. ...Applicant

Vs.

M/s. Shree Chakra Engg. ...Respondent

Appearances : None for the Applicant

Shri Anil Kumar Sharma, Advocate for the
Respondent

ORAL ORDER

18th August 2010

Re-list the matter on 19th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 09/2001

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Sunil Kumar Aggarwal	...Applicant
Vs.	
Hindustan Lever Ltd.	...Respondent

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

Shri Aditya Narain, Advocate for the Respondent

ORAL ORDER

18th August 2010

Though the witness of the applicant is present, the CA is extremely vague and does not make out a case of any infraction under the provisions of the Monopolies and Restrictive Trade Practice Act 1969. The Counsel for the applicant shall study this aspect and make submissions on the next date.

The matter shall be listed on 18th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 92/2001

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

S.S. Distributors Pvt. Ltd. ...Applicant

Vs.

Gujarat Co-operative Milk Federation & Ors. ...Respondent

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

Shri Asit Tiwari, Advocate for the Respondent

ORAL ORDER

18th August 2010

It is stated by the learned counsel for the respondent that copies of the Bank Accounts, as directed to be filed, have been filed on 29th July 2010. The same is not on record. Office is directed to place it on record. The respondent's witness is present.

The matter shall be listed on 18th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 31/2001

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Aarti Board & Paper Mills (P) Ltd. ...Applicant

Vs.

U.P. Financial Corporation ...Respondent

Appearances : Shri A.P. Singh along with
Ms. Gurjinder Kaur, Advocates for the Applicant

Shri Shah Alam Khan, Advocate for the
Respondent

ORAL ORDER

18th August 2010

The affidavit of evidence has been filed. Admission/denial of documents has also been completed. The matter shall be listed on 19th November 2010 for cross-examination of the applicant's witness, Shri Rakesh Garg.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 89/2006

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Murari Lal ...Applicant

Vs.

Mangulbhai Industries Ltd. ...Respondent

Appearances : Shri Biju Mattam, Advocate for the Respondent

ORAL ORDER

18th August 2010

Re-list the matter on 18th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 93/2006

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Bhagwati Enterprises

...Applicant

Vs.

ICICI Bank Ltd. & Anr.

...Respondent

Appearances : Shri Jayendra Sewadar along with
Shri Chandan Sharma, Advocate for the Applicant

Shri Rishi Kapoor, Advocate for the Respondent

ORAL ORDER

18th August 2010

Learned counsel for the applicant states that he wants to withdraw the application to move the appropriate forum. The Compensation Application is, accordingly, disposed of.

In view of this, no further order needs to be passed in the CA, which is disposed of.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 52/2001

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Farsight Securities Ltd. ...Applicant

Vs.

New India Assurance Co. Ltd. ...Respondent

Appearances : Shri P.K. Mittal, Advocate for the Applicant

None for the Respondent

ORAL ORDER

18th August 2010

None appears for the respondent. Similar was the position on 30th April 2010. Vide order dated 16th February 2010, it is noted that the prayer for bringing on record certain documents is accepted and the applicant was permitted to file additional affidavit as regards the relevance / authenticity or otherwise of these documents. It was directed to be done within a period of four weeks. It was also directed that, if necessary, the surveyor who has been already examined as a witness shall be recalled for further examination / re-examination. The matter was directed to be listed on 16th February 2010 but at the request of the learned counsel for the applicant the matter was adjourned to 18th August 2010.

None appears for the respondent. Notice be issued to the Chairman-cum-Managing Director of the Company bringing to his notice about the continued absence of the counsel in these proceedings, the matter is adjourned to 18th November 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 44/2008

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Sanjeev Saxena ...Applicant

Vs.

Nitishree Infrastructure Ltd. & Ors. ...Respondent

Appearances : Ms. Veena Goel, Advocate for the Applicant

Shri Rohit Sharma, proxy counsel for
Shri Brijesh Jha, Advocate for Respondent No.1-3

ORAL ORDER

18th August 2010

Rejoinder shall be filed in course of the day. 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

18.08.2010
CA 324/1999

IN THE MATTER OF:

SHRENIK MARBLES LTD.

Vs.

M/S. BHARAT EARTH MOVERS LTD.

APPEARANCES:Shri R.D. Makheeja, Advocate for the Applicant.
Ms. Priya Deep, Advocate for the Respondent.

The matter is fixed for admission/denial of the Respondent's documents.

Learned Counsel for the applicant, Shri R.D. Makheeja states that the affidavit of evidence and the documents were served on him on 12.08.2010 and the same were sent to his client at Ajmer. Further, he states that he is not in a position to carry on admission/denial as he is yet to receive instructions.

The Admission/denial has not taken place today.

The matter shall be placed before the Hon'ble Tribunal on 23.08.2010.

(V. Sreenivas)
Dy. Director (E)