

COMPETITION APPELLATE TRIBUNAL

UTPE 42/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Dr. Shashi Bhushan Singh

...Complainant

Vs.

Bank of Maharashtra

...Respondent

**Appearances : Shri Saurabh Mehra, Advocate for the
Complainant**

Representative of the Respondent

ORAL ORDER

2nd December, 2010

At the request of the learned counsel for the complainant, the matter is adjourned. The matter shall be listed in the 2nd week of February 2011 for fixing the next date of listing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

RA 03/2010 in
UTPE 170/1995

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Smt. S. Aggarwal **...Complainant**

Vs.

Ansal Properties & Industries Ltd. **...Respondent**

Appearances : Shri R.K. Singh, Advocate for the Complainant

Shri Avtar Singh, Advocate for the Respondent

ORAL ORDER

2nd December, 2010

Re-list the matter on 14th December 2010.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

UTPE 43/2001

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Win Medicare

...Complainant

Vs.

Rackit & Coleman (I) Ltd.

...Respondent

Appearances : Ms. Divya Vijan, Advocate for the Complainant

ORAL ORDER

2nd December, 2010

It is stated that there is a scope for an out of court settlement and talks are going on. The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

CA 12/2004

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Inderpal

...Applicant

Vs.

Sterling Holidays Resorts

...Respondent

Appearances : Shri Nitin Bhardwaj, Advocate for the Applicant

ORAL ORDER

2nd December, 2010

It is stated that efforts for an out of court settlement are going on.
List in the 2nd week of February 2011 for fixing the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

IA 37/2008

RTPE 24/2008

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. Lalit Mohan Upadhyay

...Complainant

Vs.

**Secretary, Ministry of Urban Development,
U.P. Awas**

...Respondent

**Appearances : Shri Hari Om Sharma along with
Shri S.N. Jha, Advocate for the Complainant**

**Shri Krishnanand Pandey, Advocate for
Respondent Nos. 2 & 3**

ORAL ORDER

2nd December, 2010

Learned counsel for the respondent states that he shall obtain instructions as to whether the entire amount which was required to be paid was paid or not as averred by the learned counsel for the complainant. The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

IA 40/2008

RTPE 26/2008

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. Narendra Kumar Nainwal

...Complainant

Vs.

Ghaziabad Development Authority

...Respondent

**Appearances : Shri Hari Om Sharma along with
Shri S.N. Jha, Advocate for the Complainant**

**Shri Krishnanand Pandey, Advocate for
Respondent Nos. 2 & 3**

ORAL ORDER

2nd December, 2010

Learned counsel for the respondent states that he shall obtain instructions as to whether the entire amount which was required to be paid was paid or not as averred by the learned counsel for the complainant. The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

CA 44/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Smt. Kusum Lata Gupta **...Applicant**

Vs.

Meerut Development Authority & Anr. **...Respondent**

Appearances : Shri Shalinder Saini, Advocate for the Applicant

Shri Satish Kumar, Advocate for the Respondent

ORAL ORDER

2nd December, 2010

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

- i) Whether the respondent has been indulging in unfair trade practices as alleged in the Compensation Application?
- ii) If the answer to the first question is in the affirmative whether it is against the public interest?
- iii) Relief, if any.

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.

- 2 -

The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

RA 42/2010
CA 69/2009

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Dr. Namita

...Applicant

Vs.

Bharti Airtel

...Respondent

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

ORAL ORDER

2nd December, 2010

Notice be issued to the respondent. 'Dasti' service may be permitted. The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

UTPE 73/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

DG [I & R]

...Complainant

Vs.

M/s. Ochoa Laboratories Ltd.

...Respondent

Appearances : Shri Rakesh Vashist, ADG for the DG

**Ms. Archana Pathak Dave, Advocate for the
Respondent**

ORAL ORDER

2nd December, 2010

Rejoinder, if any, shall be filed by the respondent. Let it be done within four weeks. The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 74/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

DG [I & R]

...Complainant

Vs.

Welcure Drugs and Pharmaceuticals Ltd.

...Respondent

Appearances : Shri Rakesh Vashist, ADG for the DG

Shri P.K. Mittal, Advocate for the Respondent

ORAL ORDER

2nd December, 2010

Four week's time is granted to the DG to file the rejoinder. The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

CA 77/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Jog Mohan Chhabra & Anr.

...Applicant

Vs.

M/s. DLF Universal Ltd.

...Respondent

Appearances : Ms. Sangeeta Batra, Advocate for the Applicant

Shri Amit Agarwal, Advocate for the Respondent

ORAL ORDER

2nd December, 2010

Six week's time is granted to the respondent for filing the counter affidavit. Rejoinder, if any, shall be filed within four weeks thereafter. The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 103/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

DG [I & R]

...Complainant

Vs.

M/s. American Express Bank, Mumbai

...Respondent

Appearances : Shri Rakesh Vashist, ADG for the DG

Shri Aditya Narain, Advocate for the Respondent

ORAL ORDER

2nd December, 2010

Reply to the application moved by the respondent shall be filed within four weeks. The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 110/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

DG [I & R]

...Complainant

Vs.

Gujarat Medicroft Pvt. Ltd.

...Respondent

Appearances : Shri R. Vashist, ADG for the DG

ORAL ORDER

2nd December, 2010

A copy of the Preliminary Investigation Report [PIR] be sent to the respondent so that it can file its reply, if any. The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

CA 113/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Ramesh Chandra Gupta

...Applicant

Vs.

Telco Ltd. & Ors.

...Respondent

Appearances : Applicant in person

**Shri Aditya Narain along with
Ms. Seema Sundd, Advocates for Respondent
Nos. 1 & 2
Shri D.K. Mishra, Advocate for Respondent No.3**

ORAL ORDER

2nd December, 2010

Arguments heard. Order is reserved.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

RA 10/2006 in
CA 77/2003

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Shashi Paliwal

...Applicant

Vs.

Suman Motels Ltd.

...Respondent

Appearances : Shri Sanjiv Pandey, Advocate for the Applicant

ORAL ORDER

2nd December, 2010

Four week's time is granted to the learned counsel for the applicant for filing further documents. The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

RA 04/2010 in
UTPE 78/2004

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Sun Pharmaceutical

...Complainant

Vs.

Optika Pharmaceuticals

...Respondent

Appearances : None for the Parties.

ORAL ORDER

2nd December, 2010

None appears for the complainant. On 1st October 2010 an order was passed to verify whether any notice of hearing for 13th November, 2009 was sent to the review applicant. The report indicates that no Notice has been issued. On the last date, the stand taken was that no Notice was given and therefore, there was no appearance. When the matter was called up today none appears. The Review Petition is dismissed for non-prosecution.

At this stage, counsel for review applicant appeared before us. It appears that no Notice was issued to the Respondent for fixing the matter on 13th November 2009. RA 04/2010 shall now be listed for hearing. Notice be issued to the review applicant in the UTPE.

The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 36/2005

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Dinesh Trading

...Applicant

Vs.

Mohindra & Mohindra Ltd.

...Respondent

**Appearances : Shri R.D. Makheeja, Proxy counsel for
Shri A.P. Singh, Advocate for the Applicant**

Snehal, Advocate for the Respondent

ORAL ORDER

2nd December, 2010

Documents are filed by the parties, if any, admission/denial of the respondent's documents shall take place on 4th January 2011. The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

IA 65/2007

UTPE 167/2007

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Avinash Jain

...Complainant

Vs.

Pure Arth Infrastructure Ltd.

...Respondent

Appearances : Ms. Rashami jain, Advocate for the Complainant

ORAL ORDER

2nd December, 2010

After the UTPE is restored, it appears that the Notice has not been issued. Issue Notice to the respondent.

The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 06/2008

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Mohit Sawhney

...Complainant

Vs.

EMU Lines Pvt. Ltd.

...Respondent

Appearances : Ms. Rashami jain, Advocate for the Complainant

ORAL ORDER

2nd December, 2010

After the UTPE is restored, it appears that the Notice has not been issued. Issue Notice to the respondent.

The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

IA 43/2008
RTPE 28/2008

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Jagatpal Gupta

...Complainant

Vs.

Addl. Zonal Revenue Officer,
Delhi Jal Board

...Respondent

Appearances : Shri Anurag Chowdhry, Advocate for the
Complainant

Ms. Shweta Mishra, Advocate for the Respondent

ORAL ORDER
2nd December, 2010

At the request of the learned counsel for the complainant, the matter is adjourned. The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

UTPE 193/2008

CA 196/2008

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Mohd. Ekram & Sons & Ors.

...Complainant

Vs.

Mahindra & Mahindra Ltd. & Ors.

...Respondent

Appearances : Shri J.K. Pandey, Advocate for the Complainant

Shri Aditya Narain, Advocate for the Respondent

ORAL ORDER

2nd December, 2010

The matter shall be listed in the 2nd week of February 2011 for fixing
the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL
UTPE 17/2009

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Orchid Gardens Residents' Welfare Association ...Complainant

Vs.

M/s. Vipul Limited & Anr. ...Respondent

Appearances : Shri Saurabh Khanna, Advocate for the Complainant

**Ms. Rashmi Virmani along with
Shri Rajeev Roy and
Ms. Srilekha, Advocates for the Respondent**

ORAL ORDER

2nd December, 2010

Reply has been filed in the main complaint. Rejoinder, if any, shall be filed within six weeks. Reply to the application dated 21st April 2010 shall be filed by the respondent within four weeks.

The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

MA 11/2010

IA 38/2009

RA 21/1999

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Durga Drug General Store

...Complainant

Vs.

Dabur India Ltd.

...Respondent

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

ORAL ORDER

2nd December, 2010

Rejoinder to the reply to MA 11/2010 shall be filed by the respondent within four weeks. The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 37/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Preeti Bhatia

...Complainant

Vs.

Birla Sunlife Insurance & Anr.

...Respondent

**Appearances : Shri Vikram Bhatia, Representative of the
Complainant**

ORAL ORDER

2nd December, 2010

Rejoinder, if any, shall be filed within four weeks. The matter shall be listed in the 3rd week of February 2011 for fixing the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 38/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Vikram Bhatia ...Complainant

Vs.

Birla Sunlife Insurance Co. Ltd. & Anr. ...Respondent

Appearances : Complainant in person

ORAL ORDER

2nd December, 2010

Rejoinder, if any, shall be filed within four weeks. The matter shall be listed in the 3rd week of February 2011 for fixing the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

CA 552/2000

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Adita Apprial

...Applicant

Vs.

NOIDA

...Respondent

**Appearances : Shri Ravi Choudhary along with
Shri Sumit Choudhary, Advocates for the
Applicant**

**Shri Shashank K. Lal, Proxy counsel for
Shri Ravinder Kumar, Advocate for the
Respondent**

ORAL ORDER

2nd December, 2010

The matter shall be listed on 18th December 2010.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

RTPE 02/2002

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Nathu Ram Goel	...Complainant
Vs.	
R. Kant & Co. Ltd. & Ors.	...Respondent

Appearances : Shri Vinay Gupta, Advocate for the Complainant

**Shri Sudhir , Sr. Advocate along with
Shri M. Padhi, Advocate for Respondent Nos. 2 to
4
Shri Rakesh Mishra, Advocate for Respondent
No.5
Shri Piyush Sharma, Advocate for Respondent
Nos. 1 & 6.**

ORAL ORDER

2nd December, 2010

The matter shall be listed in the 2nd week of February 2011 for fixing
the next date of hearing for arguments.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

CA 123/2005

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Usha Housing Co. Ltd.

...Applicant

Vs.

City Industrial Development Corporation

...Respondent

Appearances : Shri Surinder Goel, Advocate for the Applicant

**Shri Brajesh Dandey, Proxy counsel for
Shri Ajit S. Bhasme, Advocate for the Respondent**

ORAL ORDER

2nd December, 2010

At the joint request of the learned counsels for the parties, the matter is adjourned. The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

RTPE 80/1992

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. Hindustan Unilever Ltd.

...Respondent

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

**Shri Aditya Narain along with
Dr. V.K. Aggarwal, Advocates for the Respondent**

ORAL ORDER

2nd December, 2010

The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing for arguments.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL
UTPE 113/1992
CA 207/1997

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Surya Scooter (P) Ltd.	...Complainant
Vs.	
Greaves Cotton & Ors.	...Respondent

Appearances : **Shri O.P. Dua, Sr. Advocate along with**
Ms. Jayaa Verma, Advocate for the Complainant

Shri Rupinder Singh Suri, Sr. Advocate along with
Shri Vishoov Mukherjee, Advocate for the
Respondent

ORAL ORDER
2nd December, 2010

Written synopsis shall be filed by the respondent by tomorrow. An Affidavit has been filed on behalf of the complainant. A copy of the same has also been supplied to the learned counsel for the respondent. Reply to the affidavit, if any, shall be filed within three weeks.

The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

UTPE 80/1998

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. Siddhartha Woolen Mills

...Complainant

Vs.

Containers Marine Agencies (P) Ltd.

...Respondent

**Appearances : Shri Sumit Chander, Advocate for the
Complainant**

ORAL ORDER

2nd December, 2010

After the UTPE is restored, it appears that the Notice has not been issued. Issue Notice to the respondent.

The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

RA 02/2010
UTPE 84/1998

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. Rishabh Spinners Pvt. Ltd. ...Complainant

Vs.

M/s. Container Marine Agencies Pvt. Ltd. ...Respondent

Appearances : Shri Sumit Chander, Advocate for the Complainant

ORAL ORDER
2nd December, 2010

After the UTPE is restored, it appears that the Notice has not been issued. Issue Notice to the respondent.

The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

UTPE 03/2004
CA 45/2006

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Ruchir Swarup & Anr.

...Complainant

Vs.

Ansal Properties Industries Ltd. & Anr.

...Respondent

Appearances : Shri Avtar Singh, Advocate for Respondent No.1
Ms. Roopali Singh, Advocate for Respondent No.2

ORAL ORDER

2nd December, 2010

The documents to be filed on 4th May 2010 shall be filed within a period of four weeks. The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

UTPE 30/2004

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Sanjay Dalmia ...Complainant

Vs.

Virgin Atlantic ...Respondent

**Appearances : Shri O.P. Dua, Sr. Advocate along with
Ms. Jayaa Verma, and
Shri Sahil Seth, Advocates for the Complainant**

Shri Ajay K. Dutta, Advocate for the Respondent

ORAL ORDER

2nd December, 2010

Written submissions on behalf of the complainant have been filed.
Written submissions shall be filed, if any, by the respondent within four
weeks. The matter shall be listed in the 2nd week of February 2011 for
fixing the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 57/2005

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Reckit Benckeser

...Complainant

Vs.

Hindustan Lever

...Respondent

Appearances : Ms. Roopali Singh, Advocate for the Complainant

**Shri Aditya Narain along with
Dr. V.K. Aggarwal, Advocates for the Respondent**

ORAL ORDER

2nd December, 2010

At the request of the learned counsel for the respondent, the matter is adjourned. The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing for cross-examination of the respondent's witness.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

CA 23/2006

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

P.K. Jain

...Applicant

Vs.

Supertech Construction (P) Ltd.

...Respondent

Appearances : Ms. Tripat Kaur, Advocate for the Applicant

Shri Rajesh Bansal, Advocate for the Respondent

ORAL ORDER

2nd December, 2010

The matter shall be listed on 13th December 2010. It is made clear that no further adjournment shall be granted.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL
CA 72/2006

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Prashant Industries Ltd.

...Applicant

Vs.

Bharat Heavy Electricals Ltd.

...Respondent

Appearances : Dattatray Vyas, Advocate for the Applicant

**Ms. Neela Malhotra along with
Shri Saurabh Khanna, Advocate for the
Respondent**

ORAL ORDER

2nd December, 2010

It is stated that the affidavit of evidence has been filed, which is not on record. Office is directed to trace out the same put on record. If any, documents are filed by the parties, admission/denial shall take place on 11th January 2011. The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 76/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Sh. Sagar Kachwal

...Applicant

Vs.

Shree Krishna Enterprises

...Respondent

Appearances : Perokar of the Applicant

ORAL ORDER

2nd December, 2010

The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

MA 13/2009 in
CA 167/2006
RTPE 57/2006

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Mrs. Shalu Jain & Anr. ...Complainant

Vs.

M/s. Ansal Properties & Infrastructure Ltd. ...Respondent

Appearances : Shri Anubhav Mehrotra, Advocate for the Respondent

Shri Avtar Singh, Advocate for the Complainant

ORAL ORDER

2nd December, 2010

At the request of the learned counsel for the complainant, the matter is adjourned. The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 102/2001

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Jeevan Mala Hospital

...Applicant

Vs.

Kone Elevator India Pvt. Ltd.

...Respondent

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

Shri Kapil Kher, Advocate for the Respondent

ORAL ORDER

2nd December, 2010

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

- iv) Whether the respondent has been indulging in unfair trade practices as alleged in the Compensation Application?
- v) If the answer to the first question is in the affirmative whether it is against the public interest?
- vi) Relief, if any.

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 2nd week of February 2011 for fixing the next date of hearing.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

RTPE 26/2009
CA 80/2009

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. Bidwell Securities (P) Ltd.

...Complainant

Vs.

Bombay Stock Exchange Ltd.

...Respondent

Appearances : Shri Vinay Gupta, Advocate for the Complainant

Shri Dileep Poolakkot, Advocate for the Respondent

ORAL ORDER

2nd December, 2010

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

- i) Whether the respondent has been indulging in unfair trade practices as alleged?
- ii) Whether such unfair trade practices are prejudicial to the interest of consumers in general?

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 2nd week of February 2011 for fixing the next date of hearing.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

MA 06/2009 in
CA 01/2005

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF:

Vikas Pepsi Agency

...Applicant

Vs.

Pepsi Cola India Mfg. Co.

...Respondent

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

Shri Amit Agarwal, Advocate for the Respondent

ORAL ORDER

2nd December, 2010

Rejoinder, if any, shall be filed within six weeks. The matter shall be listed in the 2nd week of February 2011 for fixing the next date of hearing.

[Dr. Justice Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

CA 14/2004

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF:

Raj Kumar

...Applicant

Vs.

Sterling Holidays Resorts

...Respondent

Appearances : Shri Nitin Bhardwaj, Advocate for the Applicant

ORAL ORDER

2nd December, 2010

It is stated that efforts for an out of court settlement are going on.

List in the 2nd week of February 2011 for fixing the next date of hearing.

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

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

UTPE 30/2007

02.12.2010

IN THE MATTER OF

D.G.(I&R)

VERSUS

M/S. HARYANA URBAN DEVELOPMENT AUTHORITY

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

Shri Shushant Kumar, proxy for Shri Sanjay Singh, advocate for the respondent.

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

The learned proxy counsel for the respondent seeks some more time to file the affidavit and the documents. The admission/denial has not taken place.

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 09/2007
CA 19/2005

02.12.2010

IN THE MATTER OF

SHRI RAJEEV KUMAR SAXENA

VERSUS

M/S. U.P. AVAS VIKAS PARISHAD

**APPEARANCES : Shri Inder Pratap Singh, advocate for
the respondent.**

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

The learned counsel for the respondent seeks some more time to file the affidavit. The admission/denial has not taken place today.

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

Later at 2.30 P.M., Shri Rajiv Kumar Saxena, complainant appeared and noted the contents of the order

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

UTPE 26/2007

02.12.2010

IN THE MATTER OF

SHRI PARVEEN KUMAR MEHDIRATTA

VERSUS

M/S. HARYANA URBAN DEVELOPMENT AUTHORITY

APPEARANCES : None for the complainant

**Shri Hari Mohan, proxy counsel for
Shri D.K. Sharma, advocate for the
respondent.**

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

The admission/denial has not taken place.

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

Later at 2.45 P.M., the complainant appeared and noted the contents of the order.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

CA 144/2006

02.12.2010

IN THE MATTER OF

SHRI VIVEK BANSAL

VERSUS

M/S. SWASTIC ENTERPRISES

APPEARANCES : None for the applicant.

**Shri Sonu Chauhan representative of
the respondent.**

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

The representative of the respondent states that their advocate is not present because of his illness. The admission/denial has not taken place.

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

Later at 2.40 P.M. Shri C.M. Sharma, advocate for the applicant appeared and noted the contents of the order.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

CA 64/2007

02.12.2010

IN THE MATTER OF

ARCHANA MEDICINES

VERSUS

SRI PANKAJ BHAI PATEL & ORS.

APPEARANCES : None for the applicant.

**Shri Rahul Gupta, advocate for the all
three respondents.**

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

Shri G. Srivastava, proxy counsel for the applicant appeared in the afternoon session and states that he may not be able to attend the admission/denial in the afternoon session because of his illness. He further requested for a short adjournment.

The admission/denial shall now take place on 06.01.2011.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

UTPE 95/2007

CA 45/2007

02.12.2010

IN THE MATTER OF

M/S. ADIDAS INDIA MARKETING PVT. LTD.

VERSUS

M/S. NIKE INDIA (P) LTD. & ORS.

APPEARANCES : Ms. Firdozwani and Shri P.V. Sarvana Raja, proxy counsel for Ms. Vandana Anand, advocate for the complainant/applicant.
Shri N. Ganapathi, advocate for respondent No. 1.
Ms. Radharangaswami, advocate for respondent No. 2
Shri Manish Dhir, advocate for respondent No. 3.

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

All the three respondents states that the documents provided by the complainant are not eligible and hence they are not in a position to do the admission/denial. The learned proxy counsel for the complainant seeks a short adjournment and undertakes to provide a legible copy to all the three respondents.

With consent of all the parties, admission/denial shall now take place on 10.01.2011.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

CA 87/2007

02.12.2010

IN THE MATTER OF

M/S. RAINBOW COLOUR LAB

VERSUS

M/S. ESS DEE NUTEK INFINITES PVT. LTD.

APPEARANCES : Shri Pramod Kumar, advocate for the applicant.

Shri R.D. Sharma, advocate along with the authorized representative of the respondent.

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

The learned counsel for the applicant admitted the documents at serial numbered 2, 3, 4, 6, 12 and the documents at pages F1, F2, F3, F5 and F6 of the list of documents dated 03.05.2010. Denied the documents at serial number at 1, 5, 9 and at pages F4 and F10.

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)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

UTPE 57/2009

02.12.2010

IN THE MATTER OF

SHRI N.K. SRIVASTAVA

VERSUS

M/S. GHAZIABAD DEVELOPMENT AUTHORITY

APPEARANCES : Complainant in person.

**Shri Devesh Kumar, proxy counsel
for Ms. Reena Singh, advocate for the
respondent.**

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

The learned proxy counsel for the respondent admitted the annexure numbered C1 to C5 filed along with the complaint.

The learned counsel for the complainant states exhibit CW1/6 has already been filed in the Hon'ble Tribunal and he likes to serve the same on the respondent. The respondent states that the particular document has not been served on them earlier and hence he is not in a position to either admit or deny the document and he further states that the same may be served properly with an index.

The matter shall be placed before the Hon'ble Tribunal on the date fixed, i.e., 13.12.2010.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

CA 86/2006

02.12.2010

IN THE MATTER OF

M/S. ACCURATE TRAVELS

VERSUS

M/S. SAUDI ARABIAN AIRLINES & ANR.

APPEARANCES : Ms. R.P. Siddiqui, advocate for the applicant.

Shri R.C. Beri with Shri S.K. Beri, advocates for the respondent No. 1

None for respondent no.2

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

The learned counsel for the applicant states that she has moved an application for impleading two more parties as respondents and hence requests admission/denial may be taken up after their application is considered by the Hon'ble Tribunal.

The admission/denial has not taken place.

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)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

UTPE 43/2007

02.12.2010

IN THE MATTER OF

SMT. HEMA MEHTA

VERSUS

M/S. GREATER NOIDA INDUSTRIAL DEVELOPMENT

APPEARANCES : None for both the parties.

The matter shall be taken up on 27.12.2010 for admission/denial. Issue notices to the complainant and the respondent's counsel.

(V. Sreenivas)
Deputy Director (E)