

COMPETITION APPELLATE TRIBUNAL

CA 27/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

**Director of Apex Insurance
Consultant Ltd.**

...Complainant

Vs.

Modi Peripherals Pvt. Ltd. & Ors.

....Respondent

**Appearances : Shri S.K. Jha, Advocate for applicant
Shri Dhananjay Pandey, Advocate for
Respondent-1
Shri P.V. Dinesh, Advocate for R-3**

ORAL ORDER

23rd November, 2010

Rejoinder shall be filed by tomorrow as undertaken.

List this matter in the last week of January, 2011 for
fixing the date.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 135/2007

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

DG(I&R)

...Complainant

Vs.

M/s. Kingfisher Airlines Ltd.

....Respondent

**Appearances : Shri Rakesh Vashist, ADG for DG
None for Respondent**

ORAL ORDER

23rd November, 2010

None appears for the respondent. Reply and rejoinder have been filed.

This matter shall be listed in the last week of January, 2011 for framing of issues.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL

**CA 50/2008
UTPE 81/2008**

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

Destiny Fun Club

...Complainant

Vs.

Ifco-Tokio General Insurance Co. Ltd.

....Respondent

**Appearances : Shri Anuradha Kumar Chaubey, Advocate
for Petitioner
Shri Karan Lahiri, Advocate for
Respondent**

ORAL ORDER

23rd November, 2010

A copy of the rejoinder which has been filed in the compensation application shall be supplied to the learned counsel for the respondent in terms of the order dated 15th September, 2009. Reply to the notice of enquiry shall be filed within four weeks.

This matter shall be listed in the last week of January, 2011 for fixing the date.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 61/2009

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

DG(I&R)

...Complainant

Vs.

M/s. Avalon Resorts P.Ltd.

....Respondent

**Appearances : Shri Rakesh Vashist, ADG for DG
Shri Nikhil Pillani, Advocate for
Respondent**

ORAL ORDER

23rd November, 2010

Affidavit indicating the terms proposed to be set for settlement shall be filed within three weeks.

List this matter in the last week of January, 2011 for fixing the date.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 126/2007

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

M/s. Ispat Udyog

...Complainant

Vs.

M/s. Ace Refractories Ltd.

....Respondent

**Appearances : None for applicant
Shri Sahil Mahajan, Proxy Counsel for
Respondent**

ORAL ORDER

23rd November, 2010

Reply to the NOE shall be filed within three weeks.

This matter shall be listed in the last week of
January, 2011 for fixing the date.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL

CA 19/2007

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

U.N. Shukla ...Complainant

Vs.

G.K.S. Battery Industries & Anr.Respondent

**Appearances : None for applicant
Shri Vijay Kumar, Advocate for
Respondent**

ORAL ORDER

23rd November, 2010

This matter shall be listed in the last week of
January, 2011 for fixing the date.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL

**MA _____
UTPE 10/2003**

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

P.K. Rastogi

...Complainant

Vs.

Pepsi Foods Pvt. Ltd. & Others

....Respondent

Appearances : None for applicant

**Shri Ravinder Narain with Shri Subrat
Dev, Advocate for Respondent**

ORAL ORDER

23rd November, 2010

None appears for the applicant. An application in terms of Regulation 65(1)(j) of the Monopolies & Restrictive Trade Practices Commission Regulations, 1991 in short (**Regulations**) has been filed essentially with a prayer that the proceedings may be closed because similar issues have been adjudicated by the Hon'ble Supreme Court. A reply had been filed to the miscellaneous application in this regard but thereafter none has appeared for the applicant. The complainant in the reply to the miscellaneous application has stated that the factual scenario was different. We have gone through the order of the Hon. Supreme Court in **SLP (Civil) No. 22647/2008** by which the judgement of the National

Consumer Disputes Redressal Commission (*in short "National Commission"*) in the case of ***Pepsi Cola India Manufacturing Company Vs. M.Rajappa (III) [2008] CPJ 306(NC)***. The complaint before the National Commission was dismissed. A perusal of the order passed by the National Commission shows that identical issues were adjudicated by the National Commission. The complainant in these proceedings had filed the SLP referred to above which has been dismissed. That being so, these proceedings are closed. Notice of Enquiry (NOE) stands discharged.

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL

**UTPE 141/2009
CA 96/2009**

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

Meenakshi Bhandari

...Complainant

Vs.

**Iffco Tokio General Insurance
Co. Ltd.**

....Respondent

**Appearances : Shri Zaryab Rizvi, Advocate for
complainant
Shri D. Varada Rajan, Advocate for
Respondent**

ORAL ORDER

23rd November, 2010

Four weeks' time is granted for filing the rejoinder.

List this matter in the last week of January, 2011 for
fixing the date.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL

CA 11/2007

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

Sh. Amar Goswami

...Complainant

Vs.

Technology Parks Ltd.

....Respondent

Appearances : Advocate for applicant

ORAL ORDER

23rd November, 2010

A prayer is made by the applicant for adjournment.

This matter shall be listed in the last week of January,
2011 for fixing the date.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL

CA 170/2008

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

Rathindra Prasad Lahiri ...Complainant

Vs.

H.D.F.C. Bank Ltd. & ors.Respondent

**Appearances : Applicant in person
Shri T.R. Padhi, Advocate for
Respondent 1 & 2
Shri Sundeep Singh, Advocate for
Respondent No. 3**

ORAL ORDER

23rd November, 2010

The applicant who appears in person wants to file further amendment in the application. Let it be done within four weeks.

List this matter in the last week of January, 2011 for fixing the date.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL

RTPE 21/2008

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

Army Welfare Housing Organisation ...Complainant

Vs.

Haryana Urban Development Authority Respondent

**Appearances : Shri Arten Aria, Advocate for Applicant
Ms. Anubha Agrawal, Advocate for
Respondent**

ORAL ORDER

23rd November, 2010

At the request of the learned counsel for respondent, the matter is adjourned. It shall be listed in the last week of January, 2011 for fixing the date.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL

**IA 47/2007
UTPE 132/2007
CA 73/2007**

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

M/s. Shreeji Enterprises	...Complainant
Vs.	
M/s. Hindustan Lever Ltd. & Anr.Respondent

**Appearances : Shri A.P. Singh, Advocate for Applicant
Dr. V.K. Agarwal, Advocate for
Respondent**

ORAL ORDER

23rd November, 2010

Learned counsel for the applicant/complainant states that considering the limited nature of controversy, the matter can be sorted out amicably. Learned counsel for the respondent says that the complainant/applicant is not showing any real urgency for such settlement and that repeatedly such a submission is being made in the court. Without going into that aspect in detail, we direct that an authorized representative of the applicant/complainant shall appear before the concerned official of the respondent company on 6th January, 2011 at Chennai with definite proposals for settlement. The parties shall explore the possibility of settlement.

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

(Dr. Justice Arijit Pasayat)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

COMPETITION APPELLATE TRIBUNAL

UTPE 31/2007

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

DG(I&R)

...Complainant

Vs.

ABN Amro Bank

....Respondent

**Appearances : Shri RD Makheeja, Advocate for DG
Shri Samrat Nigam, Advocate for
Respondent**

ORAL ORDER

23rd November, 2010

Heard learned counsel for DG and learned counsel for respondent. For further hearing, list this matter in the last week of January, 2011 for fixing the date.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 51/2008

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

DG(I&R) ...Complainant

Vs.

SBI Card & Payment Service Pvt. Ltd.Respondent

**Appearances : Shri RD Makheeja, Advocate for DG
Shri Gurmeet Bindra with Ms. Amita
Kumari, Advocates for Respondent**

ORAL ORDER

23rd November, 2010

Heard learned counsel for DG and learned counsel for respondent. For further hearing, list this matter in the last week of January, 2011 for fixing the date.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 78/2007

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

DG(I&R)

...Complainant

Vs.

City Bank

....Respondent

**Appearances : Shri RD Makheeja, Advocate for DG
Shri A.N. Haksar, Sr. Advocate with
Ms. Roopali Singh, Advocate for
Respondent**

ORAL ORDER

23rd November, 2010

Heard learned counsel for DG and learned counsel for respondent. For further hearing, list this matter in the last week of January, 2011 for fixing the date.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 111/2007

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

DG(I&R)

...Complainant

Vs.

ABN Amro Bank

....Respondent

**Appearances : Shri RD Makheeja, Advocate for DG
Shri Samrat Nigam, Advocate for
Respondent**

ORAL ORDER

23rd November, 2010

Heard learned counsel for DG and learned counsel for respondent. For further hearing, list this matter in the last week of January, 2011 for fixing the date.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 76/2007

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

DG(I&R) ...Complainant

Vs.

ICICI Bank Respondent

**Appearances : Shri RD Makheeja, Advocate for DG
 Advocate for Respondent**

ORAL ORDER

23rd November, 2010

Heard learned counsel for DG and learned counsel for respondent. For further hearing, list this matter in the last week of January, 2011 for fixing the date.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 77/2007

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

DG(I&R)

...Complainant

Vs.

Hongkong & Sanghai Banking Corpn.Ltd.Respondent

**Appearances : Shri RD Makheeja, Advocate for DG
Shri A.N. Haksar, Sr. Advocate with
Shri Kartik Yadav, Advocate for
Respondent**

ORAL ORDER

23rd November, 2010

Heard learned counsel for DG and learned counsel for respondent. For further hearing, list this matter in the last week of January, 2011 for fixing the date.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE 147/1999

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

**Atul Garg ...Complainant
Vs.
Ghaziabad Development AuthorityRespondent**

**Appearances : Shri Atul Agarwal, representative of
applicant
Ms. Reena Singh, Advocate for
Respondent**

ORAL ORDER

23rd November, 2010

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

List this matter in the last week of January, 2011 for
fixing the date.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL

CA 128/2006

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

Mayak Kaushik ...Complainant

Vs.

Ansal Housing & ConstructionRespondent

**Appearances : Applicant in person
Ms. Preeti Gupta, Advocate for
Respondent**

ORAL ORDER

23rd November, 2010

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

List this matter in the last week of January, 2011.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL

CA 33/2008

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

Siddharth Textiles (P) Ltd. ...Complainant

Vs.

Pioneer Asia Wind TurbinesRespondent

**Appearances : None for applicant
Shri Sharath Sampat, Advocate for
Respondent**

ORAL ORDER

23rd November, 2010

The affidavit of evidence of the respondent shall be filed within three weeks. If any documents have filed, the admission/denial shall take place on 5th January, 2011.

List this matter in the last week of January, 2011 for fixing the date.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL

CA 97/2006

CORAM

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

**Hon'ble Shri Rahul Sarin
Member**

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

IN THE MATTER OF :

M/s. OM Fashion ...Complainant

Vs.

Charu Apparel Mfg.Co.Pvt.Ltd.&Anr.Respondent

**Appearances : Shri Ravinder Singh, Advocate for
Applicant
Shri S.K. Chandra, Advocate for
Respondent**

ORAL ORDER

23rd November, 2010

At the request of the learned counsel for applicant, the matter is adjourned.

The matter shall be listed in the last week of January, 2011.

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

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

UTPE 75/2009

23.11.2010

IN THE MATTER OF

DG(I&R)

VERSUS

M/S. VADAFONE ESSAR MOBILES PVT. LTD.

**APPEARANCES : Shri Shanmugam, Assistant Director
for DG(I&R).**

**Shri Gaurav Kaushik, proxy counsel
for Shri Naveen Chawla, advocate for
the respondent.**

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

The learned proxy counsel for the respondent shows a authorization letter from Shri Naveen Chawla, advocate for carrying out the admission/denial today. It is observed that Shri Naveen Chawla's vakalatnama is not on record. He undertakes to file the vakalatnama and request one more opportunity for admission/denial.

On his request, admission/denial shall now take place on 01.12.2010.

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

UTPE 03/2010

23.11.2010

IN THE MATTER OF

SURESH P. MANGLAW & ANR.

VERSUS

M/S. HSBC BANK

APPEARANCES : Dr. V.K. Aggarwal, advocate for the complainant.

None for respondent.

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

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

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

(V. Sreenivas)
Deputy Director (E)

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

CA 143/2008

23.11.2010

IN THE MATTER OF

SMT. ASHA RANI

VERSUS

M/S. NATIONAL INSURANCE COMPANY & ANR.

**APPEARANCES : Shri P.K. Sharma, proxy counsel for
Shri Yatin Sharma, advocate for the
applicant.**

None for the respondent.

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

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

The matter shall be placed before the Hon'ble Tribunal on the date fixed. i.e., 30.11.2010.

(V. Sreenivas)
Deputy Director (E)