

**COMPETITION APPELLATE TRIBUNAL**

**CA 96/2007**

**CORAM**

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

**Hon'ble Shri Rahul Sarin  
Member**

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

**IN THE MATTER OF:**

**M/s. Ispat Adyog ...Applicant**

**Vs.**

**M/s. ABS Refractories Pvt. Ltd. ...Respondent**

**Appearances : Shri V.K. Sharma, Advocate for the Applicant**

**None for the Respondent**

**ORAL ORDER**

**25<sup>th</sup> November, 2010**

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

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

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

**[ Rahul Sarin ]  
Member**

**[ Pravin Tripathi ]  
Member**

**COMPETITION APPELLATE TRIBUNAL**

**CA 204/2008**

**CORAM**

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

**Hon'ble Shri Rahul Sarin  
Member**

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

**IN THE MATTER OF:**

**Anchal Jain**

**...Applicant**

**Vs.**

**Dr. V.S. Malik**

**...Respondent**

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

**Shri Sandeep Kapoor, Advocate for the  
Respondent**

**ORAL ORDER**

**25<sup>th</sup> November, 2010**

Copy of the rejoinder be supplied to the learned counsel for the respondent. The matter shall be listed in the last week of January 2011 for fixing the next date of hearing.

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

**[ Rahul Sarin ]  
Member**

**[ Pravin Tripathi ]  
Member**

**COMPETITION APPELLATE TRIBUNAL**

**RA No. 18/2010 in**  
**CA 91/2000**

**CORAM**

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

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

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

**IN THE MATTER OF:**

**Allied Paper Ltd.**

**...Applicant**

**Vs.**

**Green Vally Estates & Others**

**...Respondent**

**Appearances : Shri Rajesh Raina, Advocate for the Applicant**

**ORAL ORDER**

**25<sup>th</sup> November, 2010**

Order dated 11<sup>th</sup> March 2010 is recalled. The CA 91/2000 is restored to its original position. The RA is disposed of. The matter shall be listed in the last week of January 2011 for fixing the next date of hearing.

In the meantime, the respondent may inform about the restoration of the case.

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

**[ Rahul Sarin ]**  
**Member**

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

**COMPETITION APPELLATE TRIBUNAL**

**RA No. 54/2010**

**in**

**CA 74/2000**

**CORAM**

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

**Hon'ble Shri Rahul Sarin  
Member**

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

**IN THE MATTER OF:**

**Alka Sharma**

**...Applicant**

**Vs.**

**H.B. Portfolio Leasing Ltd.**

**...Respondent**

**Appearances : Shri S.C. Sharma, Advocate for the Applicant**

**Shri Praveen Mittal, alongwith  
Shri Sanjeev, Advocates for the Respondent**

**ORAL ORDER**

**25<sup>th</sup> November, 2010**

Order dated 25<sup>th</sup> August 2010 is recalled. The CA 74/1996 is restored to its original position. The RA is disposed of. The matter shall be listed in the last week of January 2011 for fixing the next date of hearing.

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

**[ Rahul Sarin ]  
Member**

**[ Pravin Tripathi ]  
Member**

**COMPETITION APPELLATE TRIBUNAL**  
**MTPE 01/2008**

**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.**

**Indraprastha Gas Ltd.** **...Respondent**

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

**Shri K.K. Rai, Sr. Advocate along with**  
**Shri S.K. Pandey, Advocate for the Respondent**

**ORAL ORDER**  
**25<sup>th</sup> November, 2010**

It is stated by the learned counsel for the respondent that further clarifications are necessary which shall be done by an affidavit along with necessary details and data. Let it be done within four weeks.

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

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

**[ Rahul Sarin ]**  
**Member**

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













**COMPETITION APPELLATE TRIBUNAL**

**Contempt 06/2009**  
**UTPE 143/2000**

**CORAM**

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

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

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

**IN THE MATTER OF:**

**Amrish Chandra Mathur** **...Complainant**

**Vs.**

**Ansal Housing & Construction Ltd.** **...Respondent**

**Appearances : Complainant in person**

**Ms. Preeti Gupta, Proxy counsel for the**  
**Respondent**

**ORAL ORDER**

**25<sup>th</sup> November, 2010**

A prayer is made for an adjournment on behalf of the respondent.  
The matter is adjourned. The matter shall be listed in the last week of  
January 2011 for fixing the next date of hearing.

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

**[ Rahul Sarin ]**  
**Member**

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

**COMPETITION APPELLATE TRIBUNAL**

**UTPE 113/2000**

**CORAM**

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

**Hon'ble Shri Rahul Sarin  
Member**

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

**IN THE MATTER OF:**

**DG [ I & R ]**

**...Complainant**

**Vs.**

**Gillette India (P) Ltd.**

**...Respondent**

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

**Dr. V.K. Aggarwal, Advocate for the Respondent**

**ORAL ORDER**

**25<sup>th</sup> November, 2010**

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

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

**[ Rahul Sarin ]  
Member**

**[ Pravin Tripathi ]  
Member**

**COMPETITION APPELLATE TRIBUNAL**

**UTPE 111/2001**

**CORAM**

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

**Hon'ble Shri Rahul Sarin  
Member**

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

**IN THE MATTER OF:**

**Sanjay Singh**

**...Complainant**

**Vs.**

**Gillette India (P) Ltd.**

**...Respondent**

**Appearances : None for the Complainant**

**Dr. V.K. Aggarwal, Advocate for the Respondent**

**ORAL ORDER**

**25<sup>th</sup> November, 2010**

None appears for the complainant. The present complaint is dismissed for non-prosecution.

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

**[ Rahul Sarin ]  
Member**

**[ Pravin Tripathi ]  
Member**

**COMPETITION APPELLATE TRIBUNAL**

**CA 22/2001**

**CORAM**

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

**Hon'ble Shri Rahul Sarin  
Member**

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

**IN THE MATTER OF:**

**Vinod Kumar**

**...Applicant**

**Vs.**

**Gillette India (P) Ltd.**

**...Respondent**

**Appearances : None for the Complainant**

**Dr. V.K. Aggarwal, Advocate for the Respondent**

**ORAL ORDER**

**25<sup>th</sup> November, 2010**

None appears for the complainant. The present complaint is dismissed for non-prosecution.

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

**[ Rahul Sarin ]  
Member**

**[ Pravin Tripathi ]  
Member**

**COMPETITION APPELLATE TRIBUNAL**

**UTPE 180/2000**

**CORAM**

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

**Hon'ble Shri Rahul Sarin  
Member**

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

**IN THE MATTER OF:**

**DG [ I & R ]**

**...Complainant**

**Vs.**

**Gillette India (P) Ltd.**

**...Respondent**

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

**Dr. V.K. Aggarwal, Advocate for the Respondent**

**ORAL ORDER**

**25<sup>th</sup> November, 2010**

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

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

**[ Rahul Sarin ]  
Member**

**[ Pravin Tripathi ]  
Member**

**COMPETITION APPELLATE TRIBUNAL**

**RTPE 279/1995**

**CA 87/1997**

**CORAM**

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

**Hon'ble Shri Rahul Sarin  
Member**

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

**IN THE MATTER OF:**

**DG [ I & R ]**

**...Complainant**

**Vs.**

**M/s. Idemitsu Kosan Co. Ltd. & Anr.**

**...Respondent**

**Appearances : Shri R.D. Makheeja, Advocate for the DG  
Shri Anil Kumar Mishra, Advocate for the  
Informant**

**Shri S.S. Kumar, Advocate for Respondent No.1  
Sri Dileep Poolakkot, Advocate for Respondent  
No.2**

**ORAL ORDER**

**25<sup>th</sup> November, 2010**

Cross-examination of the witness of Respondent No.2, Shri Uday Chandrakant Rege, is completed. The matter shall be listed in the last week of January 2011 for fixing the next date of hearing.

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

**[ Rahul Sarin ]  
Member**

**[ Pravin Tripathi ]  
Member**



**COMPETITION APPELLATE TRIBUNAL**

**CA 362/1999**

**CORAM**

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

**Hon'ble Shri Rahul Sarin  
Member**

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

**IN THE MATTER OF:**

**Ashwani Khemka**

**...Applicant**

**Vs.**

**M/s. General Motors (I) Ltd.**

**...Respondent**

**Appearances : Applicant in person**

**Shri Vikram Dhokalia, Advocate for Respondent  
No.1**

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

**ORAL ORDER**

**25<sup>th</sup> November, 2010**

At the request of the applicant, who appears in person, the matter is adjourned. The matter shall be listed in the last week of January 2011 for fixing the next date of hearing.

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

**[ Rahul Sarin ]  
Member**

**[ Pravin Tripathi ]  
Member**

**COMPETITION APPELLATE TRIBUNAL**

**UTPE 99/2002**

**CA 157/2002**

**CORAM**

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

**Hon'ble Shri Rahul Sarin  
Member**

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

**IN THE MATTER OF:**

**Centre Point Shop Association**

**...Complainant**

**Vs.**

**M/s. DLF Universal Ltd. & Anr.**

**...Respondent**

**Appearances : Shri Neeraj Sharma along with  
Shri Rajeev Sharma, Advocate for the  
Complainant**

**Shri Ajay Goyal, Advocate for the Respondent**

**ORAL ORDER**

**25<sup>th</sup> November, 2010**

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

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

**[ Rahul Sarin ]  
Member**

**[ Pravin Tripathi ]  
Member**

## **COMPETITION APPELLATE TRIBUNAL**

**RTPE 279/1995**

**CA 87/1997**

**25<sup>th</sup> November 2010**

Statement of Shri Uday Chandrakanta Rege, aged about 44 years, R/o C/8, Sahar CHS, Parsiwada, Andheri East, Mumbai – 400 099

### **On Oath**

I have seen the affidavit dated 4<sup>th</sup> September 2010. It has been sworn and signed by me. It is exhibited as RW 2/1.

### **Cross-examination of witness of Respondent No. 2, Shri Uday Chandrakanta Rege, by Shri Anil Kumar Mishra, Advocate for Informant.**

Though I am in the group of Respondent No.2 Company since 1997, I am holding the present post from January 2008. I am aware of the functioning of Respondent No.2 group prior to my appointment in 2008. Though earlier an affidavit of evidence dated 9<sup>th</sup> March 2010 was filed, another affidavit of evidence was filed on 6<sup>th</sup> September 2010. According to me some of the statements in the earlier affidavit were not relevant to the present dispute. VG 100 is one of the raw materials used for the manufacture of liquid paraffin. I cannot say whether the said article is the main ingredient but according to me that is one of the raw materials for the finished products. It is a fact that after 1992 and even prior to that original Respondent No.2, Savita Chemicals Ltd. was supplying VG 100 in 1993-94. It will be difficult after this length of time to give the details of importers in 1993-94 from whom VG 100 was being imported by Respondent No.2. I do not agree with the suggestion that the main supplier of VG 100 was Respondent No.1. We are not sold any VG 100 to the complainant during the period 1993-94. In clarification it has been stated in para – 7 of my affidavit of evidence filed on 6<sup>th</sup> September 2010,

I say that because Respondent No.2 is in business, there is nothing wrong in asking for quotations from Respondent No.1 on the basis of a request from the complainant. I do not re-collect that prior to 1994, the complainant had asked Respondent No.2 for getting the quotations from Respondent No.1. It is not a fact that in the letter dated 13<sup>th</sup> June 1994, the respondent No.1 had asked to its agent to deal with Respondent No.2, M/s. Idemistu Kosan Co. Ltd. Though in the letter dated 27<sup>th</sup> June 1994 written by Respondent No.2 , Respondent No.1 was the Principal and the clarification for the necessity to do business, the sales persons described another party either a principal or agent without really understanding the consequences of such uses. The agreement dated 10<sup>th</sup> December 1993 was on a different footing in respect of different products between Respondent No.1 and Respondent No.2 and it was never with Respondent No.1. It may have been in respect of some other products of Respondent No.1.

**Cross-examination concluded.**

**RO & AC.**

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

**[ Rahul Sarin ]  
Member**

**[ Pravin Tripathi ]  
Member**