

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

UTPE 91/2008

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

**The Director General (Investigation
and Registration) [the DG]**

... Complainant

Versus

M/s. City Bank, Chennai

... Respondent

Appearances : Shri Rakesh Vashishth, ADG for the DG.

ORAL ORDER

26th November, 2010

Heard the learned representative of the DG. We have gone through the recommendations of the DG in his Preliminary Investigation Report (PIR). It is stated therein that the proceedings are not maintainable before this Forum in view of the judgement passed in UTPE 162/2007. Accordingly, the proceedings are closed.

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

UTPE 92/2008

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

**The Director General (Investigation
and Registration) [the DG]**

... Complainant

Versus

Shipping Business India

... Respondent

Appearances : Shri Rakesh Vashishth, ADG for the DG.

Shri Sandeep Jha, Advocate for the Respondent.

ORAL ORDER

26th November, 2010

Heard. We have perused the Preliminary Investigation Report (PIR) submitted by the DG. In the PIR, it has been, *inter alia*, indicated as follows :

“8. The overall perusal and examination of the information collected during the course of investigation reveals that the respondent provides a complete list of different types of charges required to be paid by a consignee on account of different types of services rendered by it under different circumstances. Hence, it is not a case of a deceptive practice of misrepresentation being caused by the respondent by providing its services to the consignees. Further, it appears that the services so rendered by the respondent through its consignees are contractual services and, therefore, in terms of the provisions of Section 2(r) of the MRTP Act, 1969, the same

are outside the purview of the said Act. In view of this, no case of any unfair trade practice as alleged by the complainant is made out against the respondent and similarly placed shipping business companies in India. However, the Hon'ble Tribunal may consider such action as may be deemed fit and appropriate.”

In view of the aforesaid recommendations of the DG, these proceedings are closed.

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

UTPE 126/2008

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

**The Director General (Investigation
and Registration) [the DG]**

... Complainant

Versus

Emcure Pharmaceuticals Ltd.

... Respondent

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

**Shri A.N. Haksar, Senior Advocate with Ms. S. Trehan
and Ms. Pracheta Singh, Advocates for the Respondent.**

ORAL ORDER

26th November, 2010

Learned counsel for the DG wants to obtain further instructions in
the matter.

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

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]

Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

C.A. 61/2007

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

**The Director General (Investigation
and Registration) [the DG]**

Nand Kishore

... Applicant

- Versus-

Tempo Automobiles Pvt. Ltd. & Ors.

... Respondents

Appearances :

Shri Rakesh Vashishth, ADG for the DG.

Shri Narang Lal, Advocate for the Applicant.

**Shri Ravindra Singh, Authorised Representative of
Respondent No. 1.**

**Shri M. Yogesh Kanna, Advocate for Respondents
Nos. 2 and 3.**

ORAL ORDER

26th November, 2010

Issue Notice of Enquiry to the respondents Nos. 2 and 3. Reply, if any, shall be filed within four weeks.

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

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

UTPE 66/2007

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

**The Director General (Investigation
and Registration) [the DG] ... Complainant**

Versus

M/s. Amway India Enterprises Pvt. Ltd. & Ors. ... Respondents

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

Shri N. Ganpathy, Advocate for Respondent No. 1.

Shri Rishi Manchanda, Advocate for Respondent No. 2.

Shri Amit Batra, Advocate for Respondent No. 3.

Shri S.S. Pandey, Advocate for Respondent No. 4.

Shri M.K. Awtaney, Advocate for Respondent No. 6.

ORAL ORDER

26th November, 2010

Replies by respondents Nos. 2, 3, 4 and 6 shall be filed within two weeks.

Fresh Notice be issued to respondent No. 5.

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

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]

Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

UTPE 43/2007

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

**The Director General (Investigation
and Registration) [the DG]**

... Complainant

Versus

M/s. Amway India Enterprises Pvt. Ltd.

... Respondent

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

Shri Rishi Manchanda, Advocate for the Respondent.

ORAL ORDER

26th November, 2010

Reply, if any, shall be filed within two weeks.

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

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

UTPE 107/2008

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

**The Director General (Investigation
and Registration) [the DG] ... Complainant**

Versus

M/s. ICICI Bank, Mumbai ... Respondent

Appearances : Shri Rakesh Vashishth, ADG for the DG.

Shri Pradeep Kumar, Advocate for Respondent No. 1.

**Shri Mrityunjay Kumar Tiwari, Advocate for Respondent
No. 3.**

ORAL ORDER

26th November, 2010

Reply by respondent No. 1 shall be filed within three weeks, as undertaken.

Issue fresh Notice to respondent No. 2.

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

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

C.A. 158/2008

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Dhirendra Nath Soren **... Applicant**

Versus

Ghaziabad Development Authority **... Respondent**

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

Ms. Reena Singh, Advocate for the Respondent.

ORAL ORDER

26th November, 2010

Copy of the rejoinder shall be supplied to the learned counsel for the respondent by Monday i.e. 29th November, 2010.

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

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

M.A. No. 23/2007

IN

RTPE 203/1998

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Rajesh Kumar Gupta

... Applicant

Versus

DLF Universal Ltd.

... Respondent

Appearances : **Shri Arun Kr. Varma with Shri Dhruv Malik, Advocates for the Applicant.**

Shri Ravinder Narain with Ms. Rajeshwari Shukla, Advocates for the Respondent.

ORAL ORDER

26th November, 2010

The acceptability of the application made under Order VI Rule 17 of the Code of Civil Procedure, 1908 (CPC) shall be considered when the matter will be taken up for final disposal.

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

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

C.A. 105/2009

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Jushin Enterprises ... Applicant

Versus

The Incharge D2D Express Cargo & Ors. ... Respondents

Appearances : Ms. Kiran Singh, Advocate for the Applicant.

None for the Respondents.

ORAL ORDER

26th November, 2010

The acceptability of the application shall be considered when the matter will be taken up for final disposal.

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

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

M.A. No.....

IN

30(66)UTPE/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 :

Prem Prakash

... Complainant

Versus

Torrent Pharmaceuticals Ltd. & Ors.

... Respondents

Appearances : Shri Prabjyoti K. Chaddha , Advocate for the Complainant.

**Shri V.S. Chauhan with Shri N. Chaudhary, Advocates for
the Respondents.**

ORAL ORDER

26th November, 2010

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

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

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

UTPE 102/2009

C.A. 104/2009

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Mrs. Sudha Sinha &
Mr. Suresh Kumar Sinha

... Complainants/Applicants

Versus

M/s. Elite Homes Pvt. Ltd. & Ors.

... Respondents

Appearances : Shri S.K. Agnihotri, Advocate for the
Complainants/Applicant.

ORAL ORDER

26th November, 2010

The defects pointed out by the Registry shall be rectified within
three weeks.

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

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

RTPE 16/2008

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Sheela Dutta & Anr.

... Complainants

Versus

Dalmia Resorts International (P) Ltd. & Anr.

... Respondents

Appearances : Shri Lalit Trakru, Advocate for the Complainants.

Ms. Minal Sehgal, Advocate for the Respondents.

ORAL ORDER

26th November, 2010

Learned counsel for the respondents, Ms. Minal Sehgal, states that she has recently been engaged in the matter and prays for an adjournment.

Prayer is allowed.

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

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]

Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

M.A. No. 55/2006

M.A. No. 37/2008

M.A. No. 08/2008

M.A. No. 01/2009

M.A. No. 02/2009

M.A. No. 03/2009

IN

RTPE 89/2001

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

**Suneja Tower Ind. Flats Owners
Welfare Association**

... Complainant

- Versus -

Suneja Towers Pvt. Ltd.

... Respondent

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

Shri Aditya Narain, Advocate for the Respondent.

ORAL ORDER

26th November, 2010

A detailed Chart has been submitted by the learned counsel for the respondent. Mr. Makheeja wants time to check the correctness of the statements made in the Chart.

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

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

R.A. No. 32/2010

IN

C.A. No. 501/2008

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Usha Pipes Industries

... Applicant

Versus

Kotak Mahindra Products Ltd.

... Respondent

Appearances : The Applicant in person.

ORAL ORDER

26th November, 2010

R.A. No. 32/2010 :

Heard the applicant appearing in person. The order dated 16.08.2010 is recalled. C.A. No. 501/2008 is restored to its original position. Accordingly, R.A. is disposed of.

C.A. 501/2008 :

Issue Notice to the respondent.

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

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

R.A. No. 41/2010

IN

UTPE 192/2008

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Rangi International Ltd.

... Complainant

Versus

Nova Scotia Banks & Ors.

... Respondents

Appearances : Shri Gulshan Sharma, Advocate for the Complainant.

ORAL ORDER

26th November, 2010

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

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

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]

Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

UTPE 77/1998

C.A. /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 :

Sunil Dhar ... **Complainant/Applicant**

Versus

Samar Builders (P) Ltd. & Ors. ... **Respondents**

Appearances : **Shri A.N. Haksar, Senior Advocate with Ms. Amita Kumari,**
Advocate for the Complainant/Applicant.

Shri M.K. Pandit, Advocate for the Respondents.

ORAL ORDER

26th November, 2010

At the request of the learned counsel for the respondents, the matter is adjourned to **24th January, 2011.**

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

UTPE 20/2002

C.A. 117/2003

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Pinky Sachdeva

... Complainant/Applicant

Versus

H.S.I.D.C.

... Respondent

**Appearances : Shri B.R. Sachdeva, Advocate for the Complainant/
Applicant.**

Shri Shailendra Kr. Singh, Advocate for the Respondent.

ORAL ORDER

26th November, 2010

It is stated by the learned counsel for the respondent that the relevant certificates issued by the concerned Pollution Control Board shall be filed within three weeks. If the same are filed, the complainant/applicant shall file her comments thereon within two weeks.

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

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

C.A. 118/2006

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Pradeep Jindal **... Applicant**

Versus

IFFCO-TOKIO General Insurance
Co. & Ors. **... Respondents**

Appearances : **Shri Ravi Chaudhary, Advocate for the Applicant.**

Shri S.M. Tripathi, Advocate for the Respondents.

ORAL ORDER

26th November, 2010

We have heard the learned counsel for the applicant. He has to satisfy as to under which provision, the compensation application is maintainable and how there is an unfair trade practice involved.

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

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]

Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

C.A. 69/2008

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Cotton India Pvt. Ltd.

... Applicant

Versus

M/s. Intec Securities Ltd.

... Respondent

Appearances : Dr. V.K. Aggarwal, Advocate for the Applicant.

Shri Diggaj Pathak, Advocate for the Respondent.

ORAL ORDER

26th November, 2010

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

List in the last week of January, 2011 for fixing a date of hearing.

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]

Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

C.A. 669/2000

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

J.P.S. Bakshi **... Applicant**

Versus

Speedex Air Couriers Pvt. Ltd. **... Respondent**

Appearances : **Ms. Seema Tiwari, Advocate for the Applicant**
along with the Applicant in person (A.W.1).

Shri J.S. Arora, Advocate for the Respondent.

ORAL ORDER

26th November, 2010

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

List in the last week of January, 2011 for fixing the date for cross-examination of A.W.1.

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]

Member

COMPETITION APPELLATE TRIBUNAL
NEW DELHI

C.A. 56/2003

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

Vasu Saxena **... Applicant**

Versus

Vacation Club International (P) Ltd. & Ors. **... Respondents**

Appearances : **Shri Anil Kumar, Advocate for the Applicant.**

Shri Sushil Kr., Advocate for the Respondents.

ORAL ORDER

26th November, 2010

It is stated that there is likelihood of an out of court settlement. A prayer for adjournment is made.

The matter shall be listed on **24th January, 2011.**

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL, NEW DELHI

CA 30/2006

26.11.2010

IN THE MATTER OF

M/S. MEDICOSE

VERSUS

M/S. CARE MEDICAL DEVICES LTD.

APPEARANCES : None for both the parties.

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

The admission/denial of the respondent's documents has not taken place as both the parties are not represented.

The matter shall be placed before the Hon'ble Tribunal on the date fixed. i.e., 01.12.2010.

(V. Sreenivas)

Deputy Director (E)