



**COMPETITION APPELLATE TRIBUNAL**

**UTPE No. 116/2007**

**C.A. no. 56/2009**

**CORAM**

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

**Hon'ble Mr. Rahul Sarin,  
Member**

**IN THE MATTER OF**

T.M. Mohammed Yusuf

...Complainant

*Versus*

M/s. Air Decan & anr.

...Respondents

**Appearances:** Mr. P. Sureshan, Advocate for the Complainant  
Mr. Abhijeet Swaroop, Advocate for the respondent

**ORAL ORDER**

28-10-2010

It is stated that the parties are working out the details of the settlement out of Court. List the matter on 16<sup>th</sup> December, 2010.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**COMPETITION APPELLATE TRIBUNAL**

**UTPE No. 144/2008**

**CORAM**

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

**Hon'ble Mr. Rahul Sarin,  
Member**

**IN THE MATTER OF**

D.G. [ I & R ] ...Complainant

*Versus*

Airtel Bharti Tele-ventures Ltd. & anr. ...Respondents

**Appearances:** Mr. Rakesh Vasisht, ADG for the D.G. [ I & R ]  
Informant in person  
Ms. Veena Ralli, Advocate for R-1  
Mr. Trideep, Advocate for R-2

**ORAL ORDER**  
28-10-2010

It is stated that the matter has been settled with the stipulation that the applicant shall be paid Rs. 50,000/- and part of the amount has already been made and the rest has been paid today in the Court. That being so, the proceedings are closed.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**COMPETITION APPELLATE TRIBUNAL**

**RTPE No. 35/2007**

**CORAM**

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

**Hon'ble Mr. Rahul Sarin,  
Member**

**IN THE MATTER OF**

D.G. [ I & R ]

...Complainant

*Versus*

I.O.C. Ltd. & others

...Respondents

**Appearances:** Mr. R. D. Makheeja, Advocate for the D.G. [ I & R ]  
Mr. R. Sudhinder, Advocate for R-1  
Mr. B. R. Vij, Advocate for R-2  
Mr. Sanjay K. Shandilya, Advocate for R-3

**ORAL ORDER**  
28-10-2010

It is stated that the supplementary report shall be furnished by the D.G. [ I & R ]. Let it be done within six weeks. 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**

**COMPETITION APPELLATE TRIBUNAL**

**R. A. No. 53/2010 IN**

**C.A. No. 417/1999**

**CORAM**

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

**Hon'ble Mr. Rahul Sarin,  
Member**

**IN THE MATTER OF**

Masu International

....Applicant

*Versus*

H.B. Estate Developers Ltd.

...Respondent

**Appearances:** None for the Applicant  
Mr. P. K. Mittal, Advocate for the respondent

**ORAL ORDER**

28-10-2010

Heard the learned counsel for the respondent.

There are two aspects – one is in respect of final settlement of all disputes relating to subject matter of consideration in the compensation application and the other relates to the rate of interest.

So far as the first aspect is concerned, needless to say, that there was agreement in the Court when the matter was taken up for hearing and the matter was reserved for judgment on that aspect. It is, therefore, ordered the other proceedings relating to the subject matter of consideration in the compensation application are governed by the agreement of the parties before this Forum. In terms of the agreement, the criminal complaints/petitions which has relation to the subject matter, as noted above, shall be withdrawn by the applicant.

So far as the rate of interest is concerned, the same is discretionary. There are cases where taking into consideration on the background facts involved, the Supreme Court of India granted 18%

of interest. In the instant case, taking note of relevant aspects 15% interest has been granted and that needs no modification. Hence, Review Application is disposed of accordingly.

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

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

**COMPETITION APPELLATE TRIBUNAL**

**C.A. No. 51/2006**

**CORAM**

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

**Hon'ble Mr. Rahul Sarin,  
Member**

**IN THE MATTER OF**

Naresh Chaudhary ...Applicant

*Versus*

Post Office, Ashok Vihar ...Respondent

**Appearances:** Dr. V. K. Aggarwal, Advocate for the Amicus Curiae  
Advocate for the respondent

**ORAL ORDER**  
28-10-2010

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

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**COMPETITION APPELLATE TRIBUNAL**

**C.A. No. 156/2006**

**CORAM**

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

**Hon'ble Mr. Rahul Sarin,  
Member**

**IN THE MATTER OF**

Saurabh Prakash ...Applicant

*Versus*

Ansal Properties & Industries Ltd. ...Respondent

**Appearances:** Applicant in person  
Mr. Avtar Singh, Advocate for the respondent

**ORAL ORDER**  
28-10-2010

List the matter in the last week of January, 2011 for fixing the date of hearing. Synopsis shall be filed during the course of the day.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**



**COMPETITION APPELLATE TRIBUNAL**

**RTPE No. 235/1997**  
**C.A. 17/2008**

**CORAM**

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

**Hon'ble Mr. Rahul Sarin,**  
**Member**

**IN THE MATTER OF**

Balram K. Mahendra

...Complainant

*Versus*

Ansal Properties & Industries

...Respondent

**Appearances:** Applicant in person  
Mr. Avtar Singh, Advocate for the respondent

**ORAL ORDER**  
28-10-2010

Earlier directions regarding compilation and synopsis shall be filed within a week. List the matter in the last week of January, 2011 for fixing the date of hearing.

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

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

**COMPETITION APPELLATE TRIBUNAL**

**C.A. No. 184/1999**

**CORAM**

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

**Hon'ble Mr. Rahul Sarin,  
Member**

**IN THE MATTER OF**

Satender Kumar Jain & ors.

...Applicants

*Versus*

Ansal Properties & Industries Ltd.

...Respondent

**Appearances:** Mr. Vikas Mahajan, Advocate for the Applicant  
Mr. Avtar Singh, Advocate for the respondent

**ORAL ORDER**  
28-10-2010

Submissions shall be filed within a week. List the matter in the last week of January, 2011 for fixing the date of hearing.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**COMPETITION APPELLATE TRIBUNAL**

**UTPE No. 91/2005**

**C.A. No. 34/2006**

**CORAM**

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

**Hon'ble Mr. Rahul Sarin,  
Member**

**IN THE MATTER OF**

Harichand Anand

...Complainant

*Versus*

Sunstar Machinery Co. Ltd.

...Respondent

**Appearances:** Mr. Hameed S. Shaikh, Advocate for the  
Complainant  
None for the respondent

**ORAL ORDER**

28-10-2010

Issue fresh notice to the respondent. List the matter in the last week of January, 2011 for fixing the date of hearing.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**COMPETITION APPELLATE TRIBUNAL**

**C.A. No. 52/2006**

**CORAM**

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

**Hon'ble Mr. Rahul Sarin,  
Member**

**IN THE MATTER OF**

Cap. Ashish Rai Singhania ...Applicant

*Versus*

ICICI Home Finance Co. ...Respondent

**Appearances:** None for the Applicant  
Mr. Rishi Kapoor, Advocate for the respondent

**ORAL ORDER**  
28-10-2010

No one appears for the applicant. Compensation Application is dismissed for non-prosecution.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**COMPETITION APPELLATE TRIBUNAL**

**C.A. No. 518/2000**

**CORAM**

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

**Hon'ble Mr. Rahul Sarin,  
Member**

**IN THE MATTER OF**

21<sup>st</sup> Century Computers ...Applicant

*Versus*

Aptech Computer Education ...Respondent

**Appearances:** Mr. Mahesh Kumar, Advocate for the Applicant  
None for the respondent

**ORAL ORDER**  
28-10-2010

After restoration of the compensation application notice has not been sent to the respondent. That shall be done. List the matter in the last week of January, 2011 for fixing the date of hearing.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**COMPETITION APPELLATE TRIBUNAL**

**C.A. No. 24/2006**

**C.A. No. 25/2006**

**C.A. No. 42/2006**

**C.A. No. 44/2006**

**C.A. No. 45/2006**

**C.A. No. 48/2006**

**CORAM**

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

**Hon'ble Mr. Rahul Sarin,  
Member**

**IN THE MATTER OF**

G. K. Granites

...Applicant

*Versus*

Telco Construction Equipment Co.  
Limited & others

...Respondents

**Appearances:** Mr. P. Sureshan, Advocate for the Applicant  
Mr. Daleep Poolakkot, Advocate for the respondent

**ORAL ORDER**  
28-10-2010

List the matter in the last week of January, 2011 for fixing the date of hearing. In the meantime, parties may explore the possibility for an out of Court settlement.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**COMPETITION APPELLATE TRIBUNAL**

**UTPE No. 118/2006**

**CORAM**

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

**Hon'ble Mr. Rahul Sarin,  
Member**

**IN THE MATTER OF**

D.G. [ I & R ]

...Complainant

*Versus*

United India Insurance Co. Ltd.

...Respondent

**Appearances:** Mr. Arun Yadav, Advocate for the D.G. [ I & R ]  
Mr. K.L. Nandwani, Advocate for the respondent

**ORAL ORDER**  
28-10-2010

Again a prayer for adjournment is made. It was clearly stipulated in the order dated 27<sup>th</sup> July, 2010 that no further opportunity would be granted. However, considering the nature of the dispute we grant one more opportunity to the respondent for producing the witness subject to payment of Rs.5,000/- (Rupees Five Thousand only) as cost. The cost shall be paid within three weeks to the Delhi Legal Services Authority and the receipt shall be filed within four weeks. The witness shall be produced on the next date of listing. List the matter in the last week of January, 2011 for fixing the date of hearing.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**

**COMPETITION APPELLATE TRIBUNAL**

**C.A. No. 144/2006**

**CORAM**

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

**Hon'ble Mr. Rahul Sarin,  
Member**

**IN THE MATTER OF**

Vivek Bansal

...Applicant

*Versus*

Swastic Enterprises

...Respondent

**Appearances:** Mr. C. M. Sharma, Advocate for the Applicant  
Mr. Mohit Batra, Advocate for the respondent

**ORAL ORDER**  
28-10-2010

Respondent shall carry on admission/denial in respect of the documents filed by the applicant on 2<sup>nd</sup> December, 2010. List the matter in the last week of January, 2011 for fixing the date of hearing.

**[Dr. Arijit Pasayat]  
Chairman**

**[Rahul Sarin]  
Member**



**COMPETITION APPELLATE TRIBUNAL**

**C.A. No. 64/2007**

**CORAM**

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

**Hon'ble Mr. Rahul Sarin,  
Member**

**IN THE MATTER OF**

Archana Medicines

...Applicant

*Versus*

Sri Pankaj Bhai Patel & Ors.

...Respondents

**Appearances:** Mr. G. Srivastava, Advocate for the Applicant  
Mr. Kapil Kher, Advocate for the respondent

**ORAL ORDER**  
28-10-2010

Affidavit of evidence of the applicant shall be filed within four weeks. If any documents are filed, admission/denial shall take place on 2<sup>nd</sup> December, 2010. 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**



**COMPETITION APPELLATE TRIBUNAL**

**UTPE No. 95/2007**

**C.A. No. 45/2007**

**CORAM**

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

**Hon'ble Mr. Rahul Sarin,  
Member**

**IN THE MATTER OF**

M/s. Adidas India Marketing Pvt. Ltd. ...Complainant

*Versus*

Nike India (P) Ltd. & Ors. ...Respondents

**Appearances:** Mr. Firdouse Q. Wani, Advocate for the Complainant  
Mr. Manish Dhir, Advocate for R-3

**ORAL ORDER**

28-10-2010

Affidavit of evidence of the applicant shall be filed during the course of the day, as undertaken. If any documents are filed, admission/denial shall take place on 2<sup>nd</sup> December, 2010. 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**

# **COMPETITION APPELLATE TRIBUNAL**

## **NEW DELHI**

**CA 91/2006**

**28.10.2010**

**IN THE MATTER OF**

**SHRI MAHENDER AGGARWAL**

**VERSUS**

**KOTAK SECURITIES LTD.**

**APPEARANCES : Shri Mahender Aggarwal, applicant  
in person**

**Shri K.K. Shukla, proxy counsel for  
Shri N. Nasim, advocate for the  
respondent**

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

The learned proxy counsel for the respondent states that the applicant has not filed the affidavit. The applicant seeks some more time to file 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., 16.11.2010.

(V. Sreenivas)  
Deputy Director (E)

# **COMPETITION APPELLATE TRIBUNAL**

## **NEW DELHI**

**CA 86/2006**

**28.10.2010**

**IN THE MATTER OF**

**M/S. ACCURATE TRAVELS**

**VERSUS**

**M/S. SAUDI ARABIAN AIRLINES**

**APPEARANCES : None for the applicant**

**Shri R.C. Beri and Shri S.K. Beri,  
advocates for the respondent-1**

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

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

The matter shall be placed before the Hon'ble Tribunal on the date fixed. i.e., 22.11.2010.

(V. Sreenivas)  
Deputy Director (E)

# **COMPETITION APPELLATE TRIBUNAL**

## **NEW DELHI**

**CA 85/2002**

**28.10.2010**

**IN THE MATTER OF**

**M/S. QUALITY OF INDIA**

**VERSUS**

**M/S. PHILIPS INDIA LTD.**

**APPEARANCES : Shri Mahender Aggarwal, applicant  
in person**

**Ms. Mukta Dutta, advocate for the  
respondent**

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

The learned counsel of the respondent states that they would rely upon the documents filed along with the reply dated 23.01.2007. The admission/denial has not taken place as the complainant's advocate is not present today.

The matter shall be placed before the Hon'ble Tribunal on the date fixed. i.e., 02.11.2010.

(V. Sreenivas)  
Deputy Director (E)