

COMPETITION APPELLATE TRIBUNAL

C.A. No. 30/2009

CORAM

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

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

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

IN THE MATTER OF

New Venkateshwar Flour Mills ...Applicant

Versus

Netpro Renewable Energy (I)
Pvt. Ltd. & anr. ...Respondents

Appearances: Mr. C. M. Sharma, Advocate for the Applicant
Mr. Abhishek Vikas, Advocate for the respondent

ORAL ORDER
29-11-2010

It is stated that two counter-affidavits have been filed. According to the learned counsel for the respondent, the counter-affidavit which was filed on 16th September, 2009 is the effective counter-affidavit. Learned counsel for the applicant shall file the rejoinder to the said counter-affidavit within four weeks. Needless to say the earlier counter-affidavit stands ignored. 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

C.A. No. 35/2009

CORAM

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

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

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

IN THE MATTER OF

R.K. Sinha & anr.

...Applicants

Versus

Tata Communications & anr.

...Respondents

Appearances: None for the Applicant
Mr. Sandeep Singh, Advocate for the respondent

ORAL ORDER
29-11-2010

None appears for the applicant. We have perused the complaint and the written statement filed. Essential allegation relate to the deficiency of service. That being so, this Forum cannot entertain this application. Therefore, it is dismissed.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE No. 175/2008

C.A. No. 181/2008

CORAM

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

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

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

IN THE MATTER OF

Sohan Singh ...Complainant

Versus

Improvement Trust, Ludhiana & anr. ...Respondents

Appearances: Mr. Narottam Vyas, Advocate for the Complainant

ORAL ORDER

29-11-2010

The prayer, for bringing the LR's on record, is allowed. The corrected Memo of parties shall be filed within a week. Notice be issued to the respondent. The matter shall be listed in the third week of January, 2011 for fixing the date of hearing.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE No. 176/2008

CORAM

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

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

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

IN THE MATTER OF

Mrs. Suman Jain

...Complainant

Versus

M/s. U. Turn Housing Pvt. Ltd. & anr.

...Respondents

Appearances: Mr. Anish Kr. Maggo, Advocate for the Complainant
None for the respondent

ORAL ORDER

29-11-2010

None appears for the respondent. The main prayer of the applicant is for refund of the amount deposited by him along with interest. We have perused the complaint and rejoinder of the complainant and the reply filed by the respondent. In view of the admitted position the applicant has deposited some money, the prayer for refund needs acceptance. The only other question is the rate of interest which will be given. Considering the fact in similar cases interest rate shall be fixed between 12 to 15% per annum considering the date of deposit. We direct that the amount deposited shall be refunded along with interest @ 12% per annum from the date of deposit till the refund. With this, the complaint is disposed of. The entire exercise shall be completed within the period of three months. The respondent shall file an affidavit indicating the compliance of the present order.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE No. 177/2008

CORAM

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

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

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

IN THE MATTER OF

Mrs. Pretti Aggarwal

...Complainant

Versus

M/s. U. Turn Housing Pvt. Ltd. & anr.

...Respondents

Appearances: Mr. Anish Kr. Maggo, Advocate for the Complainant
None for the respondent

ORAL ORDER

29-11-2010

None appears for the respondent. The main prayer of the applicant is for refund of the amount deposited by him along with interest. We have perused the complaint and rejoinder of the complainant and the reply filed by the respondent. In view of the admitted position the applicant has deposited some money, the prayer for refund needs acceptance. The only other question is the rate of interest which will be given. Considering the fact in similar cases interest rate shall be fixed between 12 to 15% per annum considering the date of deposit. We direct that the amount deposited shall be refunded along with interest @ 12% per annum from the date of deposit till the refund. With this, the complaint is disposed of. The entire exercise shall be completed within the period of three months. The respondent shall file an affidavit indicating the compliance of the present order.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE No. 217/1998

CORAM

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

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

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

IN THE MATTER OF

Media Video Ltd. ...Complainant

Versus

National Insurance Co. & Ors. ...Respondents

Appearances: None for the Complainant
Mr. Sumant De, Advocate for Respondent No.2

ORAL ORDER
29-11-2010

The admission/denial of the respondent's documents could not be carried out in view of the fact that the applicant did not appear. It shall be treated that the applicant has nothing to say with regard to the respondent's documents. 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

C.A. No. 59/2002

CORAM

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

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

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

IN THE MATTER OF

Star Entertainment (P) Ltd. ...Applicant

Versus

Universal Music (I) (P) Ltd. ...Respondent

Appearances: Mr. C. M. Sharma, Advocate for the Applicant
Mr. Vivek Yadav, Advocate for the respondent

ORAL ORDER
29-11-2010

It is stated that there is no possibility of out of Court settlement. The matter shall be taken up for cross-examination of AW-1 and AW-2. The matter shall be listed in the last week of January, 2011.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE No. 71/2005

C.A. No. 114/2005

CORAM

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

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

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

IN THE MATTER OF

Puneet Electronics

...Complainant

Versus

Base Corporation Ltd.

...Respondent

Appearances: Mr. Jamal Akhtar, Advocate for the Complainant
None for the respondent

ORAL ORDER

29-11-2010

It appears that notice after restoration of the UTPE No. 71/2005 & C.A. No. 114/2005 has not been sent to the respondent. 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

UTPE No. 102/2005

CORAM

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

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

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

IN THE MATTER OF

D.G. [I & R]

...Complainant

Versus

Color plus Fashioners Ltd.

...Respondent

Appearances: Mr. C. Shanmugam, DDG for the D.G. [I & R]
Mr. Vivek Singh, Advocate for the respondent

ORAL ORDER
29-11-2010

The affidavit of R-1 has been filed. The matter shall be listed in the last week of January, 2011 for fixing the date for cross-examination of R-1's witness.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

RTPE No. 04/2008

CORAM

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

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

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

IN THE MATTER OF

Sudha Shrotira ...Complainant

Versus

M/s. Fortis Hospital ...Respondent

Appearances: Complainant in person
Mr. Sajad Sultan, Advocate for the respondent

ORAL ORDER
29-11-2010

List the matter tomorrow i.e. 30.11.2010.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE No. 98/2008

C.A. No. 27/2007

CORAM

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

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

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

IN THE MATTER OF

Biswanath Ghose

...Complainant

Versus

Conybio Health Care (I) Pvt. Ltd.

...Respondent

Appearances: Mr. P. K. Goswami, Advocate for the Complainant
None for the respondent

ORAL ORDER

29-11-2010

Admission/denial of the applicant's documents could not be carried out due to the absence of the respondent. It shall be treated that the respondent has nothing to say about the admissibility of the documents filed by the applicant. The matter shall now be listed for cross-examination of the applicant's witness in the last week of January, 2011 for fixing the date.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

C.A. No. 186/2008

CORAM

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

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

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

IN THE MATTER OF

Shambu Thakur ...Applicant

Versus

M/s. Shyam Lal Krishan Lal & anr. ...Respondents

Appearances: Applicant in person
None for the respondent

ORAL ORDER
29-11-2010

None appears for the respondent. The affidavit of evidence of the respondent has not been filed. On account of the absence of the respondent, the evidence of the respondent is closed.

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

UTPE No. 180/2008

CORAM

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

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

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

IN THE MATTER OF

Pramod Kumar

...Complainant

Versus

Vodafone Essar Mobile Service
Ltd. & anr.

...Respondents

Appearances: Mr. Gunjan Kumar, Advocate for the Complainant
Mr. Laxmi Singh, Advocate for the respondent

ORAL ORDER
29-11-2010

At the request of the complainant the matter is adjourned.
List on 4th January, 2011 for admission/denial of the complainant's
documents. The matter shall be listed in the third week of January,
2011 for fixing the date.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE No. 56/1998

CORAM

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

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

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

IN THE MATTER OF

Rajiv Nayar ...Complainant

Versus

M/s. D.L.F. Limited ...Respondent

Appearances: Mr. Chetanya Puri, Advocate for the Complainant
Mr. Ravinder Narain with Mr. S. Deb, Advocates for
the respondent

ORAL ORDER
29-11-2010

It is stated that after restoration, no Notice was issued 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**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE No. 402/1997

CORAM

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

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

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

IN THE MATTER OF

Lalit Badhwar ...Complainant

Versus

M/s. D.L.F. Limited ...Respondent

Appearances: Mr. Chetanya Puri, Advocate for the Complainant
Mr. Ravinder Narain with Mr. S. Deb, Advocates for
the respondent

ORAL ORDER
29-11-2010

It is stated that after restoration, no Notice was issued 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**

**[Pravin Tripathi]
Member**

