

COMPETITION APPELLATE TRIBUNAL

C.A. No. 51/2009

CORAM

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

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

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

IN THE MATTER OF

M/s. VOICE Communication ...Applicant

Versus

M/s. Bharti Cellular Ltd. ...Respondent

Appearances: None

ORAL ORDER

06-09-2010

Issue afresh Notice to the respondent returnable on 6th
December, 2010.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

C.A. No. 55/2009

CORAM

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

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

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

IN THE MATTER OF

M/s. S.N. Enviro-Tech Pvt.Ltd. & anr. ...Applicants

Versus

M/s. Piyush Colonizers Ltd. & Ors. ...Respondents

Appearances: Mr. Rakesh Kumar Singh, Advocate for the
Applicant
Mr. Kapil Kher, Advocate for R-1

ORAL ORDER

06-09-2010

Rejoinder shall be filed within three days, as undertaken. There is no reply on behalf of Respondent Nos. 2 and 3. The matter shall be listed on 6th December, 2010.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE No. 114/2009

CORAM

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

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

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

IN THE MATTER OF

D.G. [I & R]

...Complainant

Versus

G.E. Money Financial Services Ltd.

...Respondent

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

ORAL ORDER

06-09-2010

No one appears on behalf of respondent. We have perused the PIR, reply and the rejoinder. The following issues are framed:-

1. Is it a case where respondents have indulged in unfair trade practices?
2. If the answer to first question is in the affirmative, is it against the public interest?

The matter shall be listed on **7th December, 2010**. Affidavit of evidence with documents shall be filed within four weeks. If any documents are filed, admission/denial of the documents shall take place on **10th November, 2010**.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE No. 116/2009

CORAM

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

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

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

IN THE MATTER OF

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

Versus

M/s. Scoti Edil Pharmacy Ltd. ...Respondent

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

ORAL ORDER
06-09-2010

The representative of the D.G. [I & R] states that he has received a reply on 15th October, 2009. The same is not on the record. Respondent shall place it on record if not already done.

The matter shall be listed on 7th December, 2010.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE No. 124/2009

CORAM

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

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

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

IN THE MATTER OF

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

Versus

Vishal Retail Ltd. & anr. ...Respondents

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

ORAL ORDER
06-09-2010

Heard the learned representative of the D.G. [I & R]. We have perused the documents on record. We feel it is not a fit case where any action is called for. Hence the proceedings are closed.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE No. 196/2008

CORAM

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

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

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

IN THE MATTER OF

D.G. [I & R]

...Complainant

Versus

Maharashtra Agro Industries
Development Corporation Ltd.

...Respondent

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

ORAL ORDER

06-09-2010

We have perused the documents on record and heard the representative of the D.G. [I & R]. According to us, no case of unfair trade practice is made out. Therefore, the proceedings are closed.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE No. 197/2008

CORAM

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

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

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

IN THE MATTER OF

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

Versus

M/s. Cellular Operators ...Respondent

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

ORAL ORDER
06-09-2010

We have perused the documents on record and heard the representative of the D.G. [I & R]. According to us no case of unfair trade practice is made out. The proceedings are closed.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE No. 199/2008

CORAM

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

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

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

IN THE MATTER OF

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

Versus

Oil Marketing Companies ...Respondent

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

ORAL ORDER
06-09-2010

The representative of the D.G. [I & R] states that further PIR shall be filed. It shall be filed within six weeks.

List the matter on 7th December, 2010.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

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.A. No. 11/2010 IN
RTPE No. 50/1996
RTPE No. 53/1996
RTPE No. 76/1996
RTPE No. 79/1996
RTPE No. 80/1996
RTPE No. 89/1996
RTPE No. 90/1996
RTPE No. 91/1996
RTPE No. 102/1996
RTPE No. 104/1996
RTPE No. 101/1997
RTPE No. 102/1997

**R.K. Sharma
T.S. Sain
Ram Kishan
Praveen Kumar
Jai Raj Saini
J.N. Joshi
Faqir Chand
H.B. Singh
Brij Bhardwaj
Tara Rani
Vandana Goel
Kiran Bala Dogra**

Versus

NOIDA

...Respondent

Appearances: Ms. Nusrat Khan, Advocate for the Complainant
Mr. Ravinder Kumar, Advocate for the respondent

ORAL ORDER
06-09-2010

The order dated 21.05.2010 is recalled. The personal appearance, as directed, is dispensed with. The matter shall be listed on 7th December, 2010 for hearing.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

C.A. No. 198/2008

UTPE No. 200/2008

CORAM

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

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

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

IN THE MATTER OF

Rai Bahadur Narain Singh
Sugar Mills Ltd.

....Complainant

Versus

Walchand Nagar Industries Ltd.& ors.

...Respondents

Appearances: Mr. Ajoy Bhushan Kalia, Advocate for the
Complainant
Mr. K. C. Mittal & Mr. H.K. Shekhar, Advocates for
the respondents

ORAL ORDER

06-09-2010

Respondent No. 1 has filed its reply to the complaint and to the Compensation Application. Learned counsel for R-1 to R-4 states that the reply filed by R-1 is adopted by the other respondents (R-2 to R-4). Learned counsel for the applicant wants to file a rejoinder affidavit to the reply filed by the respondent. Four weeks time is granted for the purpose.

The matter shall be listed on 8th December, 2010.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE No. 118/2009

CORAM

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

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

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

IN THE MATTER OF

M/s. K.S.P. Electrical (I) Pvt. Ltd. ...Complainant

Versus

M/s. Kotak Mahindra Prime Ltd. & anr. ...Respondents

Appearances: None for the Complainant
Mr. Akash Anand, Advocate for the respondents

ORAL ORDER

06-09-2010

Learned counsel for the respondents states that reply shall be filed within four weeks. Rejoinder, if any, shall be filed within two weeks thereafter.

The matter shall be listed on 8th December, 2010.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE No. 119/2009

CORAM

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

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

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

IN THE MATTER OF

Iqbal Ahmed Khan ...Complainant

Versus

M/s. Hero Honda Motors Ltd. ...Respondent

Appearances: Mr. M. Inamul Huda , Advocate for the Complainant
Ms. Nusrat Khan, Advocate for R-1

ORAL ORDER
06-09-2010

Learned counsel for R-1 states that the reply shall be filed within four weeks. If the complainant desires to file any rejoinder, it shall be filed within eight weeks.

The matter shall be listed on 8th December, 2010.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE No. 122/2009

CORAM

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

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

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

IN THE MATTER OF

Ajay Bali ...Complainant

Versus

Ansal Housing & Construction Ltd. ...Respondent

Appearances: Mr. R. D. Sharma, Advocate for the Complainant
Mr. P. K. Mittal, Advocate for the respondent

ORAL ORDER
06-09-2010

Reply shall be filed during the course of the day. If any rejoinder is to be filed, the same shall be done within three weeks.

The matter shall be listed on 8th December, 2010.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

R.A. No.

C.A. No. 52/2002

CORAM

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

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

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

IN THE MATTER OF

Hailey Buriya Tea Estate Ltd. ...Applicant

Versus

M/s. Syngenta India Ltd. & Ors. ...Respondents

Appearances: Applicant in person
Mr. R. K. Gupta, Advocate for R-1
Mr. S. S. Kumar, Advocate for R-2
Mr. Neil Hildreth and Mr. Romy O. John, Advocates
for respondent No. 3

ORAL ORDER
06-09-2010

List the matter on 8th December, 2010.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

R.A. No. 40/2010 IN
C.A. No. 55/2009

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Mr. Rahul Sarin,
Member

Hon'ble Ms. Pravin Tripathi
Member

IN THE MATTER OF

Sanjay P. Sinde ...Applicant

Versus

Gigeo Real Estate ...Respondent

Appearances: Mr. M. Rais Farooqui, Advocate for the Applicant
None for the respondent

ORAL ORDER
06-09-2010

Heard. The order dated 15th April, 2010 is recalled and the C.A. No. 55/2009 is restored to its original position. With this review application is disposed of.

The matter shall be listed on 8th December, 2010.

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member

COMPETITION APPELLATE TRIBUNAL

R.A. No. 06/2007 IN

C.A. No. 192/2000

CORAM

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

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

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

IN THE MATTER OF

M/s. K. K. Industries ...Applicant

Versus

M/s. Remica Plastic Machinery Mfrs. ...Respondent

Appearances: None

ORAL ORDER

06-09-2010

Application has been filed for adjournment. List the matter on
8th December, 2010.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

C.A. No. 150/2000

CORAM

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

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

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

IN THE MATTER OF

Swami Devi ...Applicant

Versus

BSES Yamuna Power Ltd. ...Respondent

Appearances: Mr. M. Dhir, Advocate for the Applicant
Mr. K. Datta with Mr. Manish Srivastava, Advocates
for the respondent

ORAL ORDER

06-09-2010

It is stated that because of some personal difficulty, the witness cannot appear today. Therefore, adjournment is made. List the matter on 8th December, 2010.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**

COMPETITION APPELLATE TRIBUNAL

UTPE No. 203/2008

CORAM

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

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

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

IN THE MATTER OF

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

Versus

Apex Laboratories Ltd. & Ors. ...Respondents

Appearances: Mr. C. Shanmugam, DDG for the D.G. [I & R]
Mr. Bahar-U-Barqui, Advocate for the respondent

ORAL ORDER
06-09-2010

The matter is adjourned sine-die as it is stated that the connected matter is pending with High Court of Kerala. As soon as D.G. [I & R] gets information about the disposal of the O.P. No. 1145 of 2002, motion shall be made for listing of the case.

**[Dr. Arijit Pasayat]
Chairman**

**[Rahul Sarin]
Member**

**[Pravin Tripathi]
Member**