

ITEM NO.20+22

COURT NO.6

SECTION III

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).19139/2016

(Arising out of impugned final judgment and order dated 19/05/2016 in WP No. 12429/2004 passed by the High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh)

M/S. MADRAS CEMENTS LTD.

(NOW KNOWN AS M/S RAMCO CEMENTS LTD.)

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

(with interim relief and office report)

WITH

SLP(C) No. 19166/2016

(With appln.(s) for stay and appln.(s) for permission to bring on record subsequent event and additional documents and Interim Relief)

SLP(C) No. 19306/2016

(With appln.(s) for stay and appln.(s) for permission to file additional documents and appln.(s) for permission to bring on record subsequent event and additional documents and Office Report)

SLP(C) No. 19548/2016

(Interim Relief and Office Report)

SLP(C) No. 18359-18368/2016

(With appln.(s) for permission to file additional documents and Interim Relief and Office Report)

SLP(C) No. 18745/2016

(With Office Report)

SLP(C) No. 18547-18566/2016

(With Office Report)

SLP(C) No. 19032-19039/2016

(With Interim Relief and Office Report)

SLP(C) No. 17081/2016

(With (With appln.(s) for stay and appln.(s) for permission to file additional documents)

SLP(C) No. 19904-19924/2016

(With Interim Relief and Office Report)

SLP(C) No. 21977-21978/2016

(With Interim Relief and Office Report)

SLP(C) No. 20146/2016

SLP(C) No. 21857-21863/2016

(With Interim Relief and Office Report)

SLP(C) No. 22936/2016

(With appln.(s) for exemption from filing c/c of the impugned judgment and Interim Relief and Office Report)

SLP(C) No. 23005/2016

(With appln.(s) for permission to bring on record subsequent event and additional documents and appln.(s) for exemption from filing c/c of the impugned judgment and Interim Relief and Office Report)

SLP(C) No. 24920/2016

(With appln.(s) for bring on record subsequent event and Interim Relief and Office Report)

SLP(C) No. 26816/2016

(With appln.(s) for exemption from filing c/c of the impugned judgment and Interim Relief and Office Report)

SLP(C) No. 26873/2016

(With Interim Relief and Office Report)

SLP(C) No. 27045/2016

(With appln.(s) for exemption from filing c/c of the impugned judgment and Interim Relief and Office Report)

SLP(C) No. 27047/2016

(With appln.(s) for exemption from filing c/c of the impugned judgment and Interim Relief and Office Report)

SLP(C) No. 24867/2016

(With appln.(s) for permission to place on record subsequent facts and Interim Relief and Office Report)

SLP(C) No. 26443/2016

(With appln.(s) for exemption from filing c/c of the impugned judgment and Interim Relief and Office Report)

SLP(C) No. 26639/2016

(With Interim Relief and Office Report)

SLP(C) No.27275-27284/2016

(With appln.(s) for exemption from filing C/C of the impugned judgment and interim relief and office report)

Date : 27/09/2016 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE R.K. AGRAWAL

For Petitioner(s) Mr. Mohan Parasaran, Sr. Adv.
Mr. Nikhil Swami, Adv.
Ms. Divya Swami, Adv.
Ms. V.E. Gayathri, Adv.
Mrs. Prabha Swami, AOR

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Ms. Surekha Raman, Adv.
Ms. Niharika, Adv.
Mr. Aman Shukla, Adv.
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Mr. K. Gopal Chowdary, Adv.
Mr. Sandeep Narain, Adv.
Mr. Ashok Bannidinni, Adv.
for M/s. S. Narain & Co.

Mr. V. Giri, Sr. Adv.
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Mr. Chala Guna Ranjan, Adv.
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Ms. Y. Vismai Rao, Adv.
Mr. K. Sharath Kumar, Adv.
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Mr. Sudhir Naagar, AOR
Mr. Sidharth Khatane, Adv.

Mr. Sadineni Ravi Kumar, AOR

Mr. Annam D. N. Rao, AOR
Mr. Sudipto Sircar, Adv.
Mr. Rahul Mishra, Adv.
Mr. Abhinav Goyal, Adv.
Mr. Annam Venkatesh, Adv.

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Ms. Sindara, Adv.
Ms. Ankita, Adv.

Mr. K. Gopal Chowdary, Adv.
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For Respondent(s) Mr. V.V.S. Rao, Sr. Adv.
 Mr. Guntur Prabhakar, AOR
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Mr. C.S. Vaidyanathan, Sr. Adv.
 Mr. P. Venkat Reddy, Adv.
 Mr. Prashant Kr. Tyagi, Adv.
 for M/s. Venkat Palwai Law Associates

Ms. Binu Tamta, Adv.
 Mr. Ritesh Kumar, Adv.
 Mr. S.S. Ray, Adv.
 Mr. A.K. Sharma, Adv.

UPON hearing the counsel the Court made the following
 O R D E R

SLP(C) Nos.18549, 18556, 18562, 18557, 18561, 18559 and 18566 of 2016 (@ SLP(C) Nos.18547-18566 of 2016)

Since these matters are pending before the Board for Industrial and Financial Reconstruction (BIFR), we are not inclined to entertain these petitions without payment being made by the petitioners. Accordingly they are dismissed.

However, liberty is granted to the petitioners to revive the petitions after the decision is given by the BIFR.

SLP(C) No.27281 of 2016 (@SLP(C) Nos.27275-27284 of 2016)

Last opportunity is granted to the petitioner to pay the amount at six paise per unit on or before 4th October, 2016. This is subject to further orders.

SLP(C) No. 19166/2016 (Rashtriya Ispat Nigam Ltd. v. Union of India)

We have been informed that the State of Andhra Pradesh has given a payment schedule. This is confirmed

by Mr. V.V.S. Rao, learned senior counsel appearing on behalf of the State of Andhra Pradesh. This particular petitioner will pay the amounts in terms of the schedule which has been given by the State of Andhra Pradesh.

List the matter in the first week of February, 2017.

Remaining matters including SLP(C) No.27281 of 2016 (@SLP(C) Nos.27275-27284 of 2016)

We have heard learned counsel for the parties.

In our opinion, the interim order granted in favour of the petitioners deserves to be varied.

The petitioners have paid @ 6 paise per unit. Since the balance amount is 19 paise per unit, we are of opinion that it would be appropriate if the petitioners pay 50% of the amount, i.e., 9 paise per unit to the respondents within a period of four months from today, i.e., on or before 31st January, 2017. Of course, this payment will be without prejudice to the rights and contentions of either of the parties. The petitioners may make the payment in four equal monthly instalments commencing from the month of October, 2016. It is made clear that the current dues will be paid by the petitioners.

List the matters in the first week of February, 2017.

(SANJAY KUMAR-I)
AR-CUM-PS

(JASWINDER KAUR)
COURT MASTER