

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL Nos.13789-13791 OF 2017
(Arising out of SLP(C)Nos.20625-20627 of 2017)

M/S JAGRAN PRAKASHAN LIMITED & ORS.APPELLANTS

VERSUS

M/S PHONOGRAPHIC PERFORMANCE LTD & ORS.RESPONDENTS

With

CIVIL APPEAL Nos.13814-13815 OF 2017
(Arising out of SLP(C)Nos.20750-20751 of 2017)

O R D E R

Leave granted.

On 21.08.2017, the following order was passed:

"Issue notice.

As Mr.K.V.Vishwanathan, learned senior counsel being assisted by Mr.Neeraj Gupta, has entered appearance on behalf of respondent No.1, no further notice need be issued. It is submitted by Mr.Kapil Sibal, learned senior counsel for the petitioners that respondent No.2 and 3 need not be served as the petitioners have no grievance against them. Mr.Vishwanathan, learned senior counsel undertakes to file reply within two weeks hence. Response to said reply be filed within two weeks therefrom.

Let the matter be listed after four weeks.

Interim order passed by the Division Bench shall remain stayed subject to decision in these special leave petitions."

In the course of hearing, we have been apprised that a Civil Suit has been filed by the respondents before the High Court of Bombay for realisation of Rs.4,29,17,266/- (Rupees four crores, twenty nine lakhs, seventeen thousand and two hundred sixty six only).

Learned senior counsel for the appellants submits that the appellants, subject to adjudication of the suit, are prepared to pay a sum of Rs.2,00,00,000/- (Rupees two crores only) to respondent No.1 and secure the balance amount by way of a bank guarantee of a nationalised bank, which shall be furnished to the satisfaction of the Registrar(Original Side), Bombay High Court. The amount shall be paid by way of demand draft in respect of respondent No.1 within four weeks. The bank guarantee shall also be furnished within the same period, and shall be kept alive during the pendency of the suit.

In view of the aforesaid arrangement, learned counsel for the appellants states that Special (Company) Appeal No.380 of 2017 and Special (Company) Appeal No.381 of 2017 before the Allahabad High Court are not pressed. Hence the aforesaid appeals shall stand disposed of as not pressed.

Needless to emphasise, any payment to be made to the first respondent will be subject to the final result of the suit. We have not expressed any opinion on the merits of the suit.

The appeals are accordingly disposed of. There shall be no order as to costs.

As a sequel to the above, pending interlocutory applications also stand disposed of.

.....CJI.
(DIPAK MISRA)

.....J.
(A.M.KHANWILKAR)

.....J.
(Dr.D.Y.CHANDRACHUD)

NEW DELHI;
SEPTEMBER 15, 2017.

ITEM NO.77

COURT NO.1

SECTION XI

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). 20625-20627/2017

(Arising out of impugned final judgment and order dated 19-07-2017 in CMA No.NIL/2017 in SAD No.69 of 2017 and order dated 20-07-2017 as corrected on 01.08.2017 in CMA No.41915/2017 in Special (Compnay) Appeal No.380 of 2017 and also against the interim order dated 20-07-2017 as corrected on 01.08.2017 in CMA No.NIL/2017 in Special (Company) Appeal No.380 of 2017 passed by the High Court of Judicature at Allahabad)

M/S JAGRAN PRAKASHAN LIMITED & ORS.

Petitioner(s)

VERSUS

M/S PHONOGRAPHIC PERFORMANCE LTD & ORS.

Respondent(s)

(IA No.83694/2017-STAY APPLICATION and IA No.73067/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

WITH

SLP(C) Nos.20750-20751/2017 (XI)

(IA No.83702/2017-STAY APPLICATION and FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS ON IA 74821/2017)

Date : 15-09-2017 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s) Mr.Kapil Sibbal, Sr.Adv.
Mr.Vinod Kumar Upadhya, Sr.Adv.
Mr.Syed Shahid Hussain Rizvi, AOR
Mr.Ritvik Upadhya, Adv.

For Respondent(s) Mr.K.V.Vishwanathan, Sr.Adv.
Mr.Neeraj Kumar Gupta, AOR
Mr.Ranjeet Singh, Adv.

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

Leave granted.

The appeals are disposed of in terms of the signed order.

There shall be no order as to costs.

As a sequel to the above, pending interlocutory applications also stand disposed of.

(SATISH KUMAR YADAV)

AR-CUM-PS

(SHAKTI PARKASH SHARMA)

ASST.REGISTRAR

(Signed order is placed on the file)