



Being aggrieved by the direction for pre-deposit of the amount the petitioner-Authority has preferred this special leave petition.

We have heard Mr. Huzefa Ahmadi, learned senior counsel appearing for the petitioner-Authority, who has submitted that the entire amount payable to the respondent-supplier has already been paid to the respondent-supplier and hence there is no necessity to make pre-deposit for filing the appeal. Arguments advanced by learned senior counsel is on the merit of the matter.

Having regard to the facts and circumstances and considering the fact that the petitioner-Authority is a Public Sector Undertaking, in exercise of the discretion vested with the court under Section of the said Act, we direct the petitioner-Authority to deposit Rs.2,50,00,000/- before the Appellate Authority within a period of four weeks from today. On such deposit, the District and Sessions Judge, Dehradun, is directed to take up the appeal on file and proceed with the same.

Issue notice to the respondent.

On deposit of Rs.2,50,00,000/- (Rupees Two Crore Fifty Lakhs), the same shall be invested in a fixed deposit in a nationalised bank for a period of three months with auto renewal so that it may enure to the benefit of the successful party and the disbursement of the same shall await further orders from this Court.

Post the matter after six weeks.

(MAHABIR SINGH)  
COURT MASTER

(PARVEEN KUMARI PASRICHA)  
BRANCH OFFICER