

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 5136-5138 OF 2017
(Arising out of SLP(C) No(S).646-648 of 2016)

M/S. EUROPCELL GMBH

Appellant(s)

VERSUS

STATESMAN LTD.

Respondent(s)

O R D E R

Leave granted.

Heard learned counsel for the parties.

Decree dated 18th March, 2011 in C.S. NO.224 of 2005 was granted in favour of the appellant by the learned trial Judge on the original side of the Calcutta High Court. The decree has not been modified. However, certain observations of the Division Bench in the impugned order are in conflict with the decree without decree having been held to be erroneous on facts or in law. Accordingly, we direct that any observation made by the High Court in the impugned judgment dated 1st September, 2015 will not affect the execution of the decree passed in favour of the appellant which will be treated as final and binding between the parties.

The appeals stand disposed of accordingly.

Pending application(s), if any, shall also stand
disposed of.

.....J.
(ADARSH KUMAR GOEL)

.....J.
(UDAY UMESH LALIT)

New Delhi,
APRIL 10, 2017.

ITEM NO.46

COURT NO.13

SECTION XVI

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). 646-648/2016

(Arising out of impugned final judgment and order dated 22/11/2013 in APD No. 283/2012 01/09/2015 in APOT No. 330/2015 01/09/2015 in APOT No. 400/2015 01/09/2015 in EC No. 615/2014 passed by the High Court Of Calcutta)

M/S. EUROPCELL GMBH

Petitioner(s)

VERSUS

STATESMAN LTD.

Respondent(s)

(with appln. (s) for c/delay in filing SLP and interim relief and office report)

Date : 10/04/2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. V. Giri, Sr. Adv.
Mr. R.K. Khanna, Adv.
Ms. Madhu Moolchandani, Adv.

For Respondent(s) Mr. Arjun Harkauli, Adv.
Mr. Nishant Agarwal, Adv.

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

Delay condoned.

Leave granted. In terms of the signed order, these appeals are disposed of.

(MAHABIR SINGH)
COURT MASTER

(VEENA KHERA)
COURT MASTER

(Signed order is placed on the file)