

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N D I A

Civil Appeal Diary No(s).

8975/2016

BPTP LTD.

Appellant(s)

VERSUS

PARK ELITE FLOOR BUYERS ASSOCIATION AND ANR. Respondent(s)
(With appln. (s) for condonation of delay in filing appeal. and
office report)

Date : 18/04/2016

This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE N.V. RAMANA

For Appellant(s)

Mr. Saurabh Kripal, Adv.
Mr. Shikhar Garg, Adv.
Mr. Ravi Kant, Adv.
Mr. P. V. Yogeswaran, Adv.

For Respondent(s)

Mr. M.L. Lahoty, Adv.
Mr. Pabanik Sharma, Adv.
Mr. Himanshu Shekhar, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Delay condoned.

Issue notice.

Tag with C.A. No. 1083-1084 of 2016.

We have heard learned counsel for the parties in respect of
interim order.

The operative portion of the order dated 11.02.2016 in C.A.

Nos. 1083-1084 of 2016 reads as follows:

Signature Not Verified

"Stay of the proceedings before the National Commission
would in our opinion not only result in procrastination
but also cause prejudice to the complainant. The proper

Digitally signed by
Meenakshi Kohli
Date: 2016.04.19
15:19:35 IST
Reason:

course in our opinion is to permit the appellant-company
to file its response, which was delayed by just about

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one day. We accordingly permit the appellant to file
its reply before the National Commission within two
weeks from today subject to payment of Rs.50,000/- as
costs to be paid to the opposite party. The Commission
can upon deposit of costs proceed with the trial of the
complainant on merits after receiving the reply filed by
the respondent. The pendency of present proceedings
shall not be an impediment for the Commission to do so.
This however is subject to the condition that

complainant - respondent is ready and willing to take the proceedings forward on the conditions aforementioned. In case the complainant - respondents have any objection to the continuance of the proceedings before the Commission they shall be free to seek stay of such proceedings pending disposal of these appeals in which event the proceedings shall remain stayed till disposal of the present appeals."

Since learned counsel for the parties have no objection if this interim order is passed, we do so accordingly. The parties will be bound by the terms and conditions of this interim order.

(Meenakshi Kohli)
Court Master

(Jaswinder Kaur)
Court Master