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ITEM NO.27

COURT NO.7 SECTION XVII
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal Diary No(s).28286/2016

RUNWAL CONSTRUCTIONS AND ORS.

Appellant(s)

VERSUS

NIRANJAN K. CHANDWANI

Respondent(s)

(with office report)

Date : 28/10/2016 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

For Appellant(s) Mr. Vikas Mehta, AOR

Ms. Malvika Kalra, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Delay condoned.

Issue notice.

Await the decision of the larger Bench in Civil Appeal Nos.1083-1084 of 2016 on the issue.

Stay of the proceedings before the National Commission would not only result in procrastination but also cause prejudice to the respondent. The proper course is to permit the appellant-Company to file its response. We accordingly permit the appellants to file their reply before the Commission within two weeks from today subject to payment of Rs.50,000/- (Rupees fifty

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thousand only) as costs to be paid to the respondent. The Commission can upon deposit of costs proceed with the trial 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 respondent is ready and willing to take the proceedings forward on the conditions aforementioned. In case the respondent has any objection to the continuance of the proceedings before the Commission they shall be free to seek stay of such proceedings pending disposal of this petition in which event the proceedings shall remain stayed till disposal of the present petition.

Tag with C.A. Nos.1083-1084 of 2016.

(SANJAY KUMAR-I)

(JASWINDER KAUR)

AR-CUM-PS

COURT MASTER