

CASE NO.:
Appeal (civil) 6 of 2008

PETITIONER:
INDIAN TELEPHONES INDUSTRIES LTD

RESPONDENT:
CHAIRMAN, INDUSTRY FACILITATION COUNCIL, CHENNAI & ANR

DATE OF JUDGMENT: 03/01/2008

BENCH:
H.K. SEMA & MARKANDEY KATJU

JUDGMENT:
JUDGMENT
O R D E R

CIVIL APPEAL NO. 6 OF 2008
[Arising out of SLP(C) NO.6984/2007]

Leave granted.

Heard the parties.

Counsel on both the sides admit that no award has been passed. The appellant is aggrieved by a direction of the High Court to deposit a sum of Rs.35,00,000/- (Rupees Thirty Five Lakhs) before the Industry Facilitation Council. Since no award has been passed, the High Court was not justified in directing the appellant to deposit rupees thirty five lakhs.

We, accordingly, set aside the order of the High Court to the extent directing the appellant to deposit rupees thirty five lakhs before the original authority, namely, Industry Facilitation Council. The Industry Facilitation Council, now called Micro & Small Enterprises Facilitation Council, is
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directed to decide the matter on merit expeditiously. All the contentions are open to the parties to urge before the Council.

The appeal is disposed of in the above terms.