

**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 (Civil) No(s).23844/2008

**(From the judgment and order dated 25/06/2008 in WP No. 1296/2008
of The HIGH COURT OF BOMBAY)**

LOKHANDWALA BUILDERS PRIVATE LIMITED

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With prayer for interim relief)

Date: 27/03/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE AFTAB ALAM

For Petitioner(s) Ms. Indu Malhotra, Sr.Adv.

Ms. Nupur Kanungo, Adv.

Ms. Shashi M. Kapila, Adv.

Mr. Vikas Mehta, Adv.

For Respondent(s) Mr. Gopal Subramaniam, ASG

Mr. Ashok K. Srivastava, Adv.

Ms. Sushma Suri, Adv.

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

Leave granted.

The appeal is disposed of with no order as to costs.

**(S. Thapar)
PS to Registrar**

**(Madhu Saxena)
Court Master**

The signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2048 OF 2009
(Arising out of SLP(C) No.23844 of 2008)

LOKHANDWALA BUILDERS PRIVATE LIMITED.

...APPELLANT (S)

VERSUS

UNION OF INDIA & OTHERS

...RESPONDENT(S)

ORDER

Leave granted.

With consent of the parties the matter is taken up for final hearing.

Having heard learned counsel for the parties we direct the Registrar of Companies to hear and decide application (Annexure P-5 to the Special Leave Petition of the Paper Book) in accordance with law uninfluenced by the observations made by the High Court in the impugned order. The Registrar of Companies will also take into account the effect of the letter dated 30th July, 2008 addressed by respondent No. 3 herein. It is made clear that the decision of the Registrar of Companies will not impact the rights of the parties in the pending passing off action.

Accordingly, the appeal is disposed of with no order as to costs.

.....J.
[S.H. KAPADIA]

**New Delhi,
March 27, 2009**

.....J
[AFTAB ALAM]