

Trident India Ltd. Vs. Cham Ice and Cold Storage and ors.

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Court : Supreme Court of India

Decided On : Jan-12-2011

Judge : Dalveer Bhandari; Deepak Verma, Jj.

Appeal No. : CIVIL APPEAL NO. 497 OF 2011 (@ SPECIAL LEAVE PETITION(C)NO.10795 OF 2008)

Appellant : Trident India Ltd.

Respondent : Cham Ice and Cold Storage and ors.

Judgement :

1. Leave granted.

2. The appellant is aggrieved by the order dated 15.02.2008 of the Division Bench of the High Court of Gujarat at Ahmedabad passed in First Appeal No.5300 of 2007 by which the money decree was stayed by the High Court.

3. We have heard learned counsel for the parties. The judgment debtor has already deposited a sum of Rs.2 crores with the High Court on 11.07.2005. The amount has been released to the appellant on furnishing the bank guarantee. In the facts of this case, instead of the bank guarantee, we direct the appellant to furnish solvent security to the satisfaction of the Registrar General of the High Court of Gujarat at Ahmedabad. In the peculiar facts and circumstances of the case and in the interest of justice, we request the High Court to dispose of the appeal as expeditiously as possible, in any event, within three months from the

date of communication of this order. We direct the parties to co-operate with the Court. We request the High Court not to grant unnecessary adjournments.

4. This appeal is, accordingly, disposed of, leaving the parties to bear their own costs.

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