

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Competition Appeal(AT) No. 42 of 2018

IN THE MATTER OF:

Shri Vijay Bhutda

...Appellant

Vs

Competition Commission of India and Ors.

....Respondents

Present:

For Appellant: Mr. Gopal Jain, Senior Advocate along with Ms. Chinmayee Chandra, Mr. Karan S. Chandhiok, Mr. Gautam Shahi and Mr. Mehul Parti, Advocates.

For Respondents: Mr. Somasekhar Sunderesan, Mr. Mahesh Aggarwal, Ms. Nisha K Uberoi, Ms. Atreyee Sarkar, Mr. Saksham Dhingra and Mr. Himanshu Advocates for Respondent No. 2

Mr. Pranshu Paul, Advocate for Respondent No. 3

O R D E R

03.08.2018 This appeal has been preferred by the Appellant against the order 27.03.2018 passed by the Competition Commission of India (in short 'Commission') in Combination Registration No. C-2018/02/558 along with a petition for condonation of delay. However, plea has been taken that there is no delay as the impugned order was uploaded in the website by the Commission only on 11.05.2018.

Learned Counsel appearing on behalf of UltraTech Cement Limited opposed the prayer and submitted that the appeal is barred by limitation. A list of dates has been submitted from which, we find that the impugned order was uploaded in the website by the Commission on 11.05.2018. Thereafter this appeal was preferred by the Appellant on 05.07.2018 i.e., within 60 days

as prescribed under the law. In this background, we hold that the appeal has been preferred within the prescribed period. I.A. No. 64 of 2018 stands disposed.

Heard the parties.

The case is admitted for hearing. Respondents are allowed to file reply affidavit within two weeks. Rejoinder, if any, may be filed by the Appellant within a week thereof.

Post the case 'for hearing' on **18th September, 2018**.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansilal Bhat]
Member (Judicial)

Akc/SK