

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**Competition Appeal (AT) No. 23 of 2017**

**IN THE MATTER OF:**

**Khanduja Coal Transport Co. ...Appellants**

**Vs**

**CCI & Ors. ....Respondents**

**Present:**

**For Appellants: Shri Jatin Kumar, Advocate.**

**For Respondents: Shri Arjun Krishnan and Shri Ankur Singh,  
Advocates for Respondent No.1.**

**With**

**Competition Appeal (AT) No. 26 of 2017**

**IN THE MATTER OF:**

**Punjab Transport Co. & Anr. ...Appellants**

**Vs**

**Competition Commission of India & Anr. ....Respondents**

**Present:**

**For Appellants: Shri Arunava Mukherjee, Advocates for  
Appellant No. 1 & 2.**

**For Respondents: Shri Arjun Krishnan and Shri Ankur Singh, Advocates  
for Respondent No.1.**

**With**

**Competition Appeal (AT) No. 27 of 2017**

**IN THE MATTER OF:**

**Jasbir Singh Saini, ...Appellants  
Proprietor of Praveen Transport**

**Vs**

**CCI & Ors. ....Respondents**

**Present:**

**For Appellants:** Shri L. Badri Narayan and Shri Aditya  
Bhattacharya, Advocates.

**For Respondents:** Shri Dushyant K. Mahant, Advocate for Respondent  
No.1.

**With**

**Competition Appeal (AT) No. 28 of 2017**

**IN THE MATTER OF:**

**Kanhhaiyalal Khandelwal**

**...Appellants**

**Vs**

**CCI & anr.**

**....Respondents**

**Present:**

**For Appellants:** Shri L. Badri Narayan and Shri Aditya  
Bhattacharya, Advocates.

**For Respondents:** Ms. Anupam Sanghi and Shri Ritwiz Rishabh,  
Advocates for Respondent No.1

**With**

**Competition Appeal (AT) No. 29 of 2017**

**IN THE MATTER OF:**

**Kanhhaiyalal Khandelwal,  
partner of Khandelwal Transport**

**...Appellants**

**Vs**

**CCI & Ors.**

**....Respondents**

**Present:**

**For Appellants:** Shri L. Badri Narayan and Shri Aditya  
Bhattacharya, Advocates.

**For Respondents:** Ms. Anupam Sanghi and Shri Ritwiz Rishabh,  
Advocates for Respondent No.1

**With**

**Competition Appeal (AT) No. 30 of 2017**

**IN THE MATTER OF:**

**Punya Coal Road Lines**

**...Appellants**

**Vs**

**Competition Commission of India & Anr.**

**....Respondents**

**Present:**

**For Appellants: Shri Nakul Mohta, Advocate.**

**For Respondents: Shri Arjun Krishnan and Shri Ankur Singh, Advocates for Respondent No.1**

**With**

**Competition Appeal (AT) No. 35 of 2017**

**IN THE MATTER OF:**

**Avaneesh Logistics Pvt. Ltd. & Anr.**

**...Appellants**

**Vs**

**Competition Commission of India & Anr.**

**....Respondents**

**Present:**

**For Appellants: Shri Chetan S. Dhore, Advocate.**

**For Respondents: Shri Arjun Krishnan and Shri Ankur Singh, Advocates for Respondent No.1**

**With**

**Competition Appeal (AT) No. 36 of 2017**

**IN THE MATTER OF:**

**Khandelwal Earth Movers & anr.**

**...Appellants**

**Vs**

**Competition Commission of India & Anr.**

**....Respondents**

**Present:**

**For Appellants: Shri Johnson Subba, Advocate.**

**For Respondents: Shri Arjun Krishnan and Shri Ankur Singh, Advocates  
for Respondent No.1**

**With**

**Competition Appeal (AT) No. 37 of 2017**

**IN THE MATTER OF:**

**Bimal Kumar Khandelwal & Anr.**

**...Appellants**

**Vs**

**CCI & Ors.**

**....Respondents**

**Present:**

**For Appellants: Shri Johnson Subba, Advocate.**

### **O R D E R**

**05.02.2018-** Learned counsel for the respondents of some of the appeals submit that they have not received the paper-book of the appeal(s). Learned counsel for the appellant(s) are directed to serve a copy of their respective paper-book to the respective counsel appearing on behalf of the Competition Commission of India by tomorrow.

Learned counsel(s) appearing on behalf of the Competition Commission of India prays for and are allowed ten days' time to file their respective reply-affidavit and the photocopies/typed copies of the documents, which they intend to rely upon.

Learned counsel appearing on behalf of the appellant(s) in Competition Appeal (AT) No. 27 of 2017; Competition Appeal (AT) No. 28 of 2017; Competition Appeal (AT) No. 29 of 2017 and Competition Appeal (AT) No. 30

Competition Appeal (AT) Nos. 23, 26 to 30 and 35 to 37 of 2017

of 2017 submit that their respective appeal(s) have been preferred within the time though there is delay in re-filing of the appeal(s) after removal of the defects. Prayer has been made to condone the delay in re-filing. Having heard the parties, we condone the delay in re-filing the appeals. The I.A. No. 78 of 2017 in Competition Appeal (AT) No. 27 of 2017; I.A. No. 76 of 2017 in Competition Appeal (AT) No. 28 of 2017; I.A. No. 77 of 2017 in Competition Appeal (AT) No. 29 of 2017 and I.A. No. 86 of 2017 in Competition Appeal (AT) No. 30 of 2017 stand disposed of.

Post these matters on 26<sup>th</sup> February, 2018.

In the meantime, the impugned order dated 14<sup>th</sup> September, 2017 so far it relate to imposition of penalty on Appellant(s) in Competition Appeal (AT) No. 27 of 2017; Competition Appeal (AT) No. 28 of 2017; Competition Appeal (AT) No. 29 of 2017; Competition Appeal (AT) No. 30 of 2017; Competition Appeal (AT) No. 35 of 2017; Competition Appeal (AT) No. 36 of 2017 and Competition Appeal (AT) No. 37 of 2017 shall remain stayed subject to payment of 10% of the penalty amount by way of FDR by 12<sup>th</sup> March, 2018.

(Justice S.J. Mukhopadhaya)  
Chairperson

(Justice Bansi Lal Bhat)  
Member(Judicial)

ns/gc