

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Competition Appeal (AT) No. 1-03 of 2017

IN THE MATTER OF:

Coal India Limited & Ors.

...Appellants

Vs

Competition Commission of India & Anr.

....Respondents

Present:

For Appellants: Mr. Neeraj Kishan Kaul, Senior Counsel assisted by Mr. Harman Singh Sandhu, Mr. Yaman Verma, Mr. Prateek Bhattacharya, Mr. Sanyat Lodha, Ms. Hansa Kaul, Mr. Rajshekhar Rao and Ms. Gauri Puri, Advocates.

For Respondents: Mr. Salman Khurshid, Senior Advocate assisted by Mr. Rishad A. Chowdhury, Ms. Asiya Khan, Mr. Zafar Khurshid and Mr. Gaurav Mitra, Advocates for Respondent No. 1. Ms. Gitanjali Kapur and Ms. Rashmita Roy Choudhury, Advocates for Respondent No. 3.

With

Competition Appeal (AT) No. 11 of 2017

IN THE MATTER OF:

Coal India Limited & Ors.

...Appellants

Vs

Competition Commission of India & Ors.

....Respondents

Present:

For Appellants: Mr. Neeraj Kishan Kaul, Senior Counsel assisted by Mr. Harman Singh Sandhu, Mr. Yaman Verma, Mr. Prateek Bhattacharya, Mr. Sanyat Lodha, Ms. Hansa Kaul, Mr. Rajshekhar Rao and Ms. Gauri Puri, Advocates.

For Respondents: Mr. Salman Khurshid, Senior Advocate assisted by Mr. Rishad A. Chowdhury, Ms. Asiya Khan, Ms. Gitanjali Kapur and Ms. Sakshi Kotiyal, Advocates for Respondent No. 1.
Mr. Matrugupta Mishra, Ms. Shikha Ohri and Mr. Shaurya Malhotra, Advocates for Respondent No. 2.

With

Competition Appeal (AT) No. 12 of 2017

IN THE MATTER OF:

Coal India Limited & Ors.

...Appellants

Vs

Competition Commission of India & Anr.

....Respondents

Present:

For Appellants: Mr. Neeraj Kishan Kaul, Senior Counsel assisted by Mr. Harman Singh Sandhu, Mr. Yaman Verma, Mr. Prateek Bhattacharya, Mr. Sanyat Lodha, Ms. Hansa Kaul, Mr. Rajshekhar Rao and Ms. Gauri Puri, Advocates.

For Respondents: Mr. Salman Khurshid, Senior Advocate assisted by Mr. Rishad A. Chowdhury, Ms. Asiya Khan, Ms. Gitanjali Kapur and Ms. Sakshi Kotiyal, Advocates for Respondent No. 1.
Mr. M. A. Venkatasubramanian, Advocate for Respondent No. 2.

O R D E R

22.03.2018: The case is pending since 31st May, 2017 but could not be disposed of for one or other reasons. An interim order of stay was passed and as it continued for about 9 months, a prayer was made by learned counsel appearing on behalf of the Commission to vacate the interim order or to pass an interim order as generally passed in other cases by directing the Appellant(s) to

pay 10% of the penalty amount during the pendency of the period. In this background, we listed the appeal for hearing on the question whether we should vacate or modify the interim order.

Learned senior counsel appearing on behalf of the Appellants submits that the Appellants are ready to argue the case on merit and conclude the argument within a day or two and the Appellate Tribunal may decide the case on merit instead of vacating the interim order.

As requested by learned counsel for the Appellants, instead of vacating or modifying the interim order, we fix the next date for hearing. The parties are expected to complete the argument on early date.

No specific order is passed in I.A. No. 60 of 2017 at present. Post the cases 'for hearing' on **19th April, 2018 at 2:00 PM.**

(Justice S. J. Mukhopadhaya)
Chairperson

(Justice A.I.S. Cheema)
Member (Judicial)

(Balvinder Singh)
Member (Technical)

am/gc