

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Competition Appeal (AT) No. 07 of 2017

IN THE MATTER OF:

D.V. Rajasekhar

.. Appellant

Versus

Competition Commission of India

.. Respondent

Present:

**For Appellant: Shri Sandeep Khatri and Shri Naveen Kumar,
Advocates.**

For Respondent: Shri Balaji Subramanian, Advocate

O R D E R

22.11.2017 Learned Counsel appearing on behalf of the Appellant submitted that the documents sought for by DG during investigation has already been handed over by another person to DG. However, such submission made on behalf of the Appellant has been disputed by learned Counsel for Respondent-Commission.

Having heard Counsels for the Appellant and Respondent-Commission and without going into the disputed question as to whether third party has handed over the relevant documents to the DG or not, we give an opportunity to the Appellant to file an affidavit and state whether he will cooperate with DG and hand over the requisite documents to the DG or not. If the Appellant files such affidavit, agrees to hand over the documents to the DG and to

cooperate with the DG, this Appellate Tribunal may consider whether in such case, the Appellate Tribunal will interfere with part of the order whereby penalty has been imposed. Affidavit be filed within ten days.

Post the matter on 5th December, 2017.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

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