
(2016) 09 SC CK 0068

In the Supreme Court Of India

Case No : Writ Petition (C) No. 595 of 2016

M/s. APJ Laboratories Pvt. Ltd.

APPELLANT

Vs

Union of India

RESPONDENT

Date of Decision : 14-09-2016

Acts Referred:

Constitution of India, 1950 — Article 32

Citation : (2016) 9 JT 293 : (2017) 1 SCC 80

Hon'ble Judges : Kurian Joseph and Rohinton Fali Nariman, JJ.

Bench : Division Bench

Advocate : Shankar Divate, Advocate, for the Appellant

Final Decision : Dismissed

Judgement

Kurian, J.—When this Writ Petition came up for admission on 29.07.2016, this court passed the following order:

"Issue notice.

In the meantime, there shall be stay of further proceedings for auction of the property taken from the petitioner on a condition that the petitioner shall deposit 75% of the dues as on 31.03.2016 in two instalments. The first instalment of 50% of the dues shall be remitted within six weeks from today and the balance 25% shall be remitted within another six weeks.

Post after six weeks, so as to see whether the first instalment is remitted or not.

It is made clear that in case the first instalment is not remitted within six weeks from today, as ordered, the writ petition shall stand dismissed without further reference to the Court."

2. Today we are informed that the petitioner could not however, comply with the conditions in the above order. Therefore, in terms of the said order writ petition is dismissed.

3. However, we make it clear that dismissal of the writ petition shall not stand in the way of the petitioner, availing one time settlement, if available, with the bank.