



**ORDER SHEET NO. 44**  
**(Dated 10th October, 2015)**

1. Ms. Medha Agarwal, Advocate i/b Khare Legal Chambers appeared on behalf of White Water Foods Pvt. Ltd., VIR Foods Ltd., Trade Biz Commodities and Bharat Food and Agro Products i.e. Noticee Nos. 1, 2, 3 and 6 respectively.
2. Ms. Agarwal has moved an application for stay without prejudice to the rights of her clients, since her clients are in the process of filing S.L.P. before the Hon'ble Supreme Court of India against the order of the Division Bench of the Hon'ble Bombay High Court dated 17<sup>th</sup> June, 2015.
3. Ms. Agarwal has also made a statement that the affidavit given by NSEL on 3<sup>rd</sup> October, 2015 is being studied by her clients and the same would be replied by next date of hearing.
4. Apart from the above two statements, number of other statements are made in the application in relation to the appearances of the various Advocates who were appearing for her clients prior to the engagement of M/s. Khare Legal Chambers, Advocates. The factual position stated in the said submissions is seriously disputed by NSEL. However, without going into the merits or demerits thereof, the prayer made to stay the present proceedings in view of intention of her clients to file S.L.P. cannot be a ground to stay the proceedings.
5. Even in the appeal filed by them and pending before the Hon'ble Bombay High Court, no stay is granted by the Court. In the circumstances, the application to stay the present proceedings is rejected. However, by way of last chance four weeks' time is granted to respond to the affidavit filed by NSEL. The application filed by

NSEL shall be finally heard and disposed of on 27<sup>th</sup> November, 2015 at 2.00 p.m. No further adjournment shall be granted.

6. **Proceedings are adjourned to 27<sup>th</sup> November, 2015 at 2.00 p.m.**

  
**JUSTICE V.C. DAGA (RETD.)**  
**CHAIRMAN**

  
**J.S. SOLOMON**  
**ADVOCATE AND SOLICITOR**

  
**YOGESH THAR**  
**CHARTERED ACCOUNTANT**

**MEMBERS**

