

SUPREME COURT OF INDIA

Ali Jawad Ameerhasan Rizvi

Vs.

Indo-French Biotech Enterprises Ltd.

C.A.No.468 of 2000

(G. B. Pattanaik and R. C. Lahoti, JJ.)

21.01.2000

ORDER

1. Leave granted.
2. The High Court of Bombay having dismissed the writ petition filed and having levied a cost of Rs. 1 lac on the first petitioner, the petitioner is in appeal by way of special leave petition.
3. When the matter came up before this Court, a limited notice was issued with regard to the cost of Rs. 1 lac imposed on the first petitioner.
4. The learned counsel appearing for the appellant contends that the High Court has never considered the case of the appellant but in view of the limited notice issued, we are not in a position to accept the said contention of the appellant. The only question which requires consideration is whether in the facts and circumstances and the findings arrived at, the High Court was justified in

awarding the cost and if so to what extent. On the findings arrived at by the High Court, there cannot be any doubt that Court was justified in awarding the costs. But in the facts and circumstances of the case, we are of the view that cost of Rs. 1 lac is high. We, therefore, reduce the sum of Rs. 1 lac to Rs. 50,000/-.

5. The other part of the order that the cost should be paid to National Association for the Blinds remain unaltered and Mr. Desai, learned Senior Counsel appearing for the contesting respondents also agrees to the same. The cost awarded should be paid within eight weeks from today. The appeal is disposed of accordingly. There shall be no order as to costs.

Order accordingly.