

\$~11

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 11072/2015**

FORECH INDIA LIMITED

..... Petitioner

Through: Mr. Sandeep Sethi, Sr. Adv. with Mr.
Amitabh Kumar & Mr. Gautam
Sahai, Advs.

Versus

COMPETITION COMMISSION OF INDIA & ANR.... Respondents

Through: Mr. Siddharth Luthra, Sr. Adv. with
Mr. Prashanto C. Sen, Mr. Udayan
Verma, Mr. S. Singh & Mr. Tara
Narula Gautam, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

%

01.04.2016

**CM No.32052/2015 (of the respondents for modification of order dated
2nd December, 2015)**

1. This order is in continuation of the earlier orders.
2. The senior counsel for the respondents under instructions states i) that the respondents along with final report of the Director General (DG) shall disclose all the material collected during investigation in terms of Regulation 24 of the Competition Commission of India (General) Regulations, 2009 including the documents whether relied upon by the DG or not; ii) that the petitioner if so desires at that stage, will also have a right of inspection of the entire record in terms of Regulation 37; iii) that in the event of the report of the DG being against the petitioner, the petitioner will

have an opportunity to make a further statement and to cross examine the witnesses with reference to the material placed by the DG before Competition Commission of India (CCI) and not earlier disclosed to the petitioner; iv) that the documents with respect to which the respondents at this stage claim confidentiality will not be furnished to the petitioner but the petitioner will be furnished the orders of the CCI upholding the confidentiality plea with respect to the said documents after redacting therefrom the portion which may disclose the nature of the documents, in terms of Regulation 35(14) and Regulation 6 of The Competition Commission of India (Lesser Penalty) Regulations, 2009; v) that though the petitioner at this stage shall be supplied (in terms of para 2 of order dated 2nd December, 2015) only such of the documents that are relevant qua the allegations against the petitioner but along with the report of the DG, the other documents shall also be supplied to the petitioner.

3. List on 5th April, 2016.

RAJIV SAHAI ENDLAW, J

APRIL 01, 2016

‘gsr’..