

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Competition Appeal (AT) No. 13 of 2020

IN THE MATTER OF:

Grasim Industries Ltd.

...Appellant

Versus

Competition Commission of India & Anr.

...Respondents

Present:

For Appellant: Mr. Sarthak Pande, Ms. Nisha Kaur Uberoi, Ms. Shravani Shekhar and Mr. Mathew George, Advocates.

**For Respondents: Mr. Samar Bansal, Mr. Manu Chaturvedi, Mr. Abhinav, Advocates with Ms. Bulbuli Richong, Deputy Director and Mr. Ved Prakash Mishra, Adviser Law for R-1 (CCI).
Mr. M. M. Sharma, Advocate for R-2.**

O R D E R
(Through Virtual Mode)

31.08.2020: This appeal arises against the order dated 16th March 2020 passed by the Competition Commission of India in Case No.62 of 2016 inter alia holding Appellant guilty of contravention of provisions engrafted under Section 4(2)(a)(ii), 4(2)(d) r/w 4(1) of the Competition Act, with an amount of Rs.301.61 Crore imposed as penalty. Appellant assails the finding in regard to abuse of dominant position attributed to Appellant.

Cont'd...../

It appears that Competition Appeal (AT) No. 11 of 2020 has been filed by 'Textile Consumers Foundation' against the same impugned order but on the ground that inadequate penalty has been imposed on 'Grasim Industries Limited' i.e. Appellant in instant appeal.

Issue notice upon Respondents. Mr. Samar Bansal, Advocate waived and accepted notice on behalf of Respondent No. 1 (CCI). Mr. M. M. Sharma, Advocate waived and accepted notice on behalf of Respondent No. 2. No further notice needs to be issued. Service of notice on respondents is complete.

Respondents may file their reply affidavit within two weeks. Rejoinder, if any, may be filed by the Appellant within one week thereof.

Mr. M. M. Sharma, learned counsel for Respondent No. 2 submits that complete paper book has not been supplied to him. Appellant is directed to supply complete set of paper book to Mr. M. M. Sharma, learned counsel for the Respondent in his office at Delhi within three days.

In so far as interim relief is concerned, it is submitted by learned counsel for Respondent No. 2 that Appellant continues to abuse its dominant position and is violating the directions of CCI imposed in terms of the impugned order qua desisting from its abusive practices.

Let I.A. No. 36/2020 regarding stay be listed for consideration on **24th September, 2020** alongwith the main appeal.

[Justice Bansi Lal Bhat]
Acting Chairperson

[Justice Venugopal M.]
Member (Judicial)

[V. P. Singh]
Member (Technical)

am/gc