

ITEM NO.13

COURT NO.6

SECTION XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (C) No.25026/2023

[Arising out of impugned final judgment and order dated 13-07-2023 in LPA No. 150/2020 passed by the High Court of Delhi at New Delhi]

COMPETITION COMMISSION OF INDIA

Petitioner(s)

VERSUS

MONSANTO HOLDINGS PRIVATE LIMITED & ORS.

Respondent(s)

(IA No. 232040/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 98146/2024 - INTERVENTION APPLICATION, IA No. 115518/2025 - INTERVENTION APPLICATION, IA No. 111470/2024 - INTERVENTION APPLICATION, IA No. 111431/2024 - INTERVENTION APPLICATION, IA No. 111423/2024 - INTERVENTION APPLICATION, IA No. 109205/2024 - INTERVENTION APPLICATION, IA No. 104576/2024 - INTERVENTION APPLICATION, IA No. 104575/2024 - INTERVENTION APPLICATION, IA No. 98158/2024 - INTERVENTION APPLICATION)

WITH

SLP(C) No. 12209/2024 (XIV)

IA FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 112559/2024, IA No. 112559/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

SLP(C) No. 6934/2024 (XIV)

IA FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 54456/2024 FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 59756/2024 FOR CONDONATION OF DELAY IN FILING ON IA 70170/2024 IA No. 70170/2024 - CONDONATION OF DELAY IN FILING IA No. 54456/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT IA No. 59756/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 5871/2024 (XIV)

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 43994/2024, FOR CONDONATION OF DELAY IN FILING THE SPARE COPIES ON IA 70228/2024, IA No. 70228/2024 - CONDONATION OF DELAY IN FILING THE SPARE COPIES IA No. 43994/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

SLP(C) No. 5870/2024 (XIV)

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 40413/2024, FOR CONDONATION OF DELAY IN FILING ON IA 70054/2024, IA No. 70054/2024 - CONDONATION OF DELAY IN FILING, IA No. 40413/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Date : 02-09-2025 These matters were called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE SANDEEP MEHTA**

**For Petitioner(s) :Mr. N Venkataraman, A.S.G.
Mr. Balbir Singh, Sr. Adv.
Mr. Samar Bansal, Adv.
Mr. Avinash Sharma, AOR
Ms. Akanksha Kapoor, Adv.
Mr. Jayender S. Chandail, Adv.
Mr. Gaurav Kumar, Adv.**

**For Respondent(s) :Mr.Mukul Rohatgi, Sr. Adv.
Mr. C S Vaidyanathan, Sr. Adv.
Mr. Navin Pahwa, Sr. Adv.
Mr. Abhishek Yadav, AOR
Mr. Mr Ashutosh Kumar, Adv.
Mr. Ashutosh Kumar, Adv.
Mr. Saurabh Yadav, Adv.
Ms. Saya Choudhary Kapur, Adv.
Mr. Devanshu Khanna, Adv.
Mr. Vinod Chauhan, Adv.
Mr. Sajan Shankar Prasad, Adv.**

Ms. Radhika Pareva, Adv.
Mr. Anand Pathak, Adv.
Mr. Ravishekhar Nair, Adv.
Mr. Shashank Gautam, Adv.
Ms. Sreemoyee Deb, Adv.
Mr. Param Tandon, Adv.

Mr. Neeraj Kishan Kaul, Sr. Adv.
Mr. Vibha Dutta Makhija, Sr. Adv.
Mr. Raj Shekhar Rao, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Mr. Adarsh Ramanujan, Adv.
Mr. Ankur Saigal, Adv.
Ms. S.lakshmi Iyer, Adv.
Ms. Shruti Arora, Adv.
Mr. Himanshu Saraswat, Adv.
Mr. Parth Singh, Adv.
Ms. Divyanshi Bansal, Adv.
Ms. Ira Mahajan, Adv.
Mr. E. C. Agrawala, AOR

Mr. Sravan Kumar Karanam, AOR
Mr. P. Venkatraju, Adv.
Ms. M. Harshini, Adv.

Mr. Amit Sibal, Sr. Adv.
Mr. M. T. George, AOR
Dr. Victor Vaibhav Tandon, Adv.
Ms. Mehr Sidhu, Adv.
Ms. Subhoshree Sil, Adv.

Mr. Rajiv Kumar Choudhry, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. Since the issues involved in the captioned Petitions are

the same and the challenge is also to the self-same judgment and order passed by the High Court of Delhi those were taken up for hearing analogously and are being disposed of by this common order.

2. We treat the matter at Serial No.13.1 i.e.SLP(C) 12209 of 2024 as the lead matter for the sake of convenience.

3. This petition arises from the judgment and order passed by the High Court of Delhi dated 13th July, 2023 in the Letters Patent Appeal No. 247 of 2016, by which the LPA filed by the respondent-Telefonaktiebolaget LM Ericsoon (Publ), came to be disposed of, with the following observations recorded by the High Court in paragraph 58. Paragraph 58 reads thus:-

"For the above reasons, the 2015 Judgement is sustained. The CCI's proceedings deserve to be quashed for want of power. The Court is of the view that once a settlement has been reached between the informant and person against whom the information is filed, the very substratum of the proceedings by CCI is lost and the 2015 Judgement has rightly quashed the same. The question of liberties granted by the 2015 Judgement being sustainable do not arise, given as this Court has already held that CCI has no power to conduct the investigation that was impugned."

3. The Competition Commission of India being dissatisfied with the impugned judgment and order passed by the High Court is here before us with five appeals arising from the common judgment and order passed by the High Court.

4. We heard Mr. Samar Bansal the learned counsel appearing for the Competition Commission of India and on the other hand Mr. Mukul Rohatgi, Mr. Navin Pahwa, Ms. Vibha Datta Makhija and Mr. C S Vaidyanathan, the learned senior counsel appearing for the respective respondents.

5. In the peculiar facts and circumstances of the case, more particularly, keeping in mind what has been observed by the High Court in Paragraph 58 of its impugned judgment, referred to above and also taking into consideration the fact that the original complainants/informants have nothing further to say in the matter, we should not interfere with the impugned judgment passed by the High Court.

6. If there are any questions of law involved in this litigation, the same are kept open to be agitated in some other appropriate case.

7. In view of the aforesaid, the petitions stand disposed of.

8. Pending applications including the application(s) for intervention stand disposed of.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)