



FACULTY OF JURIDICAL SCIENCES

COURSE: B.B.A.LL.B. IX th

Semester

SUBJECT: COMPETITION LAW

SUBJECT CODE: BBL 901

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LECTURE 38

TOPIC: EXECUTION OF ORDERS BY THE COMPETITION APPELLATE TRIBUNAL

By Dr. Aijaj Ahmed Raj

Execution of orders of Appellate Tribunal

Section 53P. of the Competition Act, 2002 provides for the Execution of its orders.

53P. (1) Every order made by the Appellate Tribunal shall be enforced by it in the same manner as if it were a decree made by a court in a suit pending therein, and it shall be lawful for the Appellate Tribunal to send, in case of its inability to execute such order, to the court within the local limits of whose jurisdiction,-

- a) in the case of an order against a company, the registered office of the company is situated; or
- b) in the case of an order against any other person, place where the person concerned voluntarily resides or carries on business or personally works for gain, is situated.

(2) Notwithstanding anything contained in sub-section (1), the Appellate Tribunal may transmit any order made by it to a civil court having local jurisdiction and such civil court shall execute the order as if it were a decree made by that court.

Exercise:

1. Where does an appeal lie against the order of Appellate Tribunal?
 - a) Respective High Court
 - b) Finance Board
 - c) NCLT
 - d) Apex Court of India

2. Central Government replaced _____ with the National Company Law Appellate Tribunal in 2017
 - a) CCI
 - b) COMPAT
 - c) CLB
 - d) None of these

3. Appellate Tribunal is established under which section of competition Act, 2002
 - a) Section 50
 - b) Section 51
 - c) Section 53A
 - d) Section 53B

4. In case of removal of Chairperson of CCI on the ground of "prejudice as to financial interest", it is mandatory that such matters have to be referred to
 - a) Central Government
 - b) Appellate Tribunal
 - c) Delhi High Court
 - d) Supreme Court

5. Which chapter of Competition Act, 2002 provides for Competition Appellate Tribunal?

- a) VI
- b) VII
- c) V
- d) VIIIA