

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).1190-1194/2009

(From the judgement and order dated 30/09/2008 in SCA No. 6061/2008 & SCA No. 6921/2008 & CA 3778/2008 in SCA 12136/2006, CA 3292/2008 in SCA 11730/2006 and CA 3293/2008 in CA 11776/2006 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

KANAIYALAL MAGANBHAI PATEL ETC.

Petitioner(s)

VERSUS

STATE OF GUJARAT & ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T. and prayer for interim relief)

WITH S.L.P.(C)...CC NO. 1243 of 2009

(With appln.(s) for c/delay in filing SLP and office report)

SLP(C) NO. 1976-1980 of 2009

(With appln(s) for exemption from filing OT and exemption from c/c of the impugned judgment and with prayer for interim relief and office report)

Date: 30/01/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

HON'BLE MR. JUSTICE J.M. PANCHAL

For Petitioner(s) Mr. Ashok H. Desai, Sr.Adv.

Mr. Sameer Parekh, Adv.

Mr. Arjun Garg, Adv.

Mr. Ashish Vaid, Adv.

Mr. Nitin Thukral, Adv.

Mr. S.P. Majmudar, Adv.

for M/S. Parekh & Co.,Adv.

Mr. P.H. Parekh, Sr.Adv.

Mr. Mayur Shah, Adv.

Ms. Shakun Sharma, Adv.

Mr. Vishal Prasad, Adv.

MR. Sanjay K. Hadala, Adv.

Dr. Kailash Chand, Adv.

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For Respondent(s) Mr. C.A. Sundram, Sr. Adv.

Mr. K.S. Nanavati, Sr.Adv.

Mr. E.C. Agrawala,Adv.

Mr. Mahesh Agarwal, Adv.

Mr. Rish Agrawala, Adv.

Mr. Gaurav Goel, Adv.

Mr. Amit Kumar Sharma, Adv.

UPON hearing counsel the Court made the following
ORDER

SLP(C)NOS.1192, 1193 AND 1194 OF 2009

Issue notice in SLP(C)Nos.1192,1193 and 1194 of 2009 arising

out of SCA Nos. 12136/2006, 11730/2006 and 11776/2006 returnable within four weeks, list thereafter immediately. Status quo regarding possession till further orders.

Mr. E.C. Agarwala, learned counsel accepts notice on behalf of Essar Steel Ltd. (4th respondent in SLP(C)No.1192/2009 and 3rd respondent in SLP(C)No.1193 and 1194 of 2009. Learned counsel for the respondent-Company stated that lands of the petitioners in SLP(C)Nos.1192,1193 and 1194 of 2009 are all pockets in the midst of a large area and owners of the surrounding lands have agreed for a consent award. It is submitted that the order of status quo in regard to the lands of the petitioners in the three SLPs will hold up the development in the remaining lands. He therefore submitted that the status quo order so far as the petitioners in SLP(C)Nos.1192,1193 and 1194 of 2009 should not come in the way of the Company holding negotiations with the petitioners for a negotiated settlement, in particular any proposal for allotting lands

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in the periphery or other lands in lieu of the lands of the petitioners in these cases.

Having regard to the circumstances, the petitioners and the Company agree in principle that the assistance of skilled and professional mediators will assist the parties to arrive at a mutually advantageous negotiated settlement so that the Company's project is not held up. The petitioners in SLP(C)Nos.1192,1193 and 1194 of 2009 and the Company agree to appear before the Mediation Centre of the Gujarat High Court on 06.02.2009 at 11 a.m. without further notice.

The submission of the learned counsel for the Company that the compensation etc. and benefits that has been given to those who agreed for the consent award, will also be extended to those who have not consented for an award, is placed on record.

SLP(C)Nos.1190,1191 of 2009, 1976-1980/2009 and CC No.1243/2009

These special leave petitions arising from writ petitions filed after the award, are dismissed.

(PAWAN KUMAR)
COURT MASTER

(S.S.R. KRISHNA)
COURT MASTER