

IN THE SUPREME COURT OF INDIA
CIVIL/ORIGINAL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (C) NO.3226 OF 2012

BOARD OF TRUSTEES FOR THE PORT
OF KOLKAT

Petitioner(s)

VERSUS

KEONJHAR NAVA NIRMAN PARISHAD
& ORS.

Respondent(s)

WITH

ORGNL.SUIT NO. 4 of 2011

SLP(C) NO. 5136 of 2012

SPECIAL LEAVE PETITION (C) NO. 20160 of 2012

SPECIAL LEAVE PETITION (C) NO.22338-22339 of 2012

O R D E R

During the pendency of these Special Leave Petitions, the parties to the litigation, except Respondent No. 1, have entered into different agreements containing same terms on 30.07.2013. The

terms have been reproduced hereinbelow :-

"(a)The parties are agreed that these settlement terms comprise the entire terms of settlement and are/will be in full and final settlement of all issues raised in the aforesaid batch of cases.

(b)The parties agree that the Union of India withdraws its Notification No. SO 2609 (E) dated 22.10.2010 which had been challenged in the Writ Petition before the High Court. Upon the Special Leave Petitions being disposed of in terms of these consent terms, the aforesaid Notification of the Union of India will be deemed to be withdrawn.

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(c) The Kolkata Port Trust withdraws its Notification No. Adm/01250/VI dated 10.11.2010 which had been challenged in the Writ Petition before the High Court. Upon the Special Leave Petitions being disposed of in terms of these consent terms, the aforesaid Notification of the Kolkata Port Trust will be deemed to be withdrawn.

(d)The Writ Petitioners in the High Court agree that their respective Writ Petitions which are sub-judice

are deemed to be withdrawn upon the Special Leave Petitions being disposed of in terms of these consent terms.

(e) All the parties agree that by virtue of the aforesaid consent terms, the position as prevailing immediately prior to the notification dated 22.10.2010 would continue to prevail.

(f) It is further agreed by _____ and _____ between all the parties that :-

(i) An area comprising the radius of 2 nautical miles around a position earmarked by Lat 21°08'12" N Long 87°14'.00"E may be notified for the purpose of transloading.

(ii) The area may be notified as part of the port limit of Paradip Port, without any restriction in terms of time and volume of cargo for the purpose of transloading operations for which Paradip Port will carry out conservancy work and at a nominal charge.

(iii) Government of Orissa to initiate steps for re-notifying the Port Limits of Bahabalpur Port after rationalisation exercise (a non-major Port in the State), as its

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limits were overlapping with the limits of KoPT."

The aforesaid agreement has been reflected in the Minutes of Meeting dated 30.07.2013. The parties are directed to act as per the aforesaid agreement.

In view of the aforesaid agreement arrived at among the parties, the Special Leave Petitions as well as Original Suit No. 4 of 2011 stand disposed of.

All the Interlocutory Applications are disposed of.

.....J.
[ANIL R. DAVE]

.....J.
[SHIVA KIRTI SINGH]

New Delhi;

May 06, 2014.

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ITEM NO.29

COURT NO.9

SECTION XIA

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

Petition(s) for Special Leave to Appeal (Civil) No(s).3226/2012

(From the judgement and order dated 25/11/2011 in WP
No.3323/2011 of The HIGH COURT OF ORISSA AT CUTTACK)

BOARD OF TRUSTEES FOR THE PORT OF KOLKAT

Petitioner(s)

VERSUS

KEONJHAR NAVA NIRMAN PARISHAD & ORS.

Respondent(s)

(With appln(s) for bringing on record the terms of settlement
between the parties and prayer for interim relief and office
report)

WITH

SLP(C) NO. 20160 of 2012

(With application for bringing on record and office report)

SLP(C) NO. 22338-22339 of 2012

(With office report)

ORGNL.SUIT NO. 4 of 2011

(With application for adding party/parties and interim
injunction)

SLP(C) NO. 5136 of 2012

(With prayer for interim relief and office report)

Date: 06/05/2014 These Petitions were called on for hearing
today.

CORAM : HON'BLE MR. JUSTICE ANIL R. DAVE
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s) Mr. K.V. Vishwanathan, ASG
Mr. K. Radhakrishnan, Sr. Adv.
Mr. Chandra Bhushan, Adv.
Mr. R. Harishankar, Adv.
Ms. Sunita Sharma, Adv.
for Mr. D. S. Mahra, Adv.

Ms. Shagun Matta, Adv.
for Mr. Anip Sachthey, Adv.

Mr. A. V. Rangam, Adv.
Mr. Buddy A. Ranganadhan, Adv.

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For Respondent(s) Mr. Ashok K. Panda, Sr. Adv.
Mr. Rutwik Panda, Adv.
Mr. Anshu Malik, Adv.

Mr. Ashok Parija, Sr. Adv.
Ms. Nandini Gore, Adv.
Ms. Tahira Karanjawala, Adv.
Ms. Neha Khandelwal, Adv.
Mrs. Manik Karanjawala, Adv.
Mr. Dilip Das, Adv.
for M/S. Karanjawala & Co.

Mr. Achintya Dvivedi, Adv.

Mr. R. S. Biswas, Adv.

Mr. Santosh Kumar, Adv.

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

The Special Leave Petitions as well as the Original
Suit are disposed of in terms of the signed order.

(Jayant Kumar Arora)
Sr. P.A.

(Sneh Bala Mehra)
Assistant Registrar

(Signed order is placed on the file)