

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).5093/2013

(From the judgement and order dated 24/09/2012 read with order dated 12/10/2012 in WP No.576/2012 of The HIGH COURT OF BOMBAY)

INDIAN NATIONAL SHIPOWNERS ASSOCIATION Petitioner(s)

VERSUS

U.O.I. & ORS. Respondent(s)

(With prayer for interim relief and office report)

With S.L.P. (C) No.5362 of 2013

(With appln.(s) for permission to file additional documents, prayer for interim relief and office report)

Date: 18/02/2013 These Matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ANIL R. DAVE
HON'BLE MR. JUSTICE VIKRAMAJIT SEN

For Petitioner(s) Mr. J.P. Cama,Sr.Adv.

In SLP 5093/13: Mr. Manek J. Kalyaniwalla,Adv.
Mr. Shiv Kumar Suri,Adv.
Mr. Saswat Pattnaik,Adv.

In SLP 5362/13: Mr. T.R. Andhyarujina,Sr.Adv.
Mr. Arun R. Pedneker,Adv.
Mr. P.N. Salgaonkar,Adv.
Mr. V.N. Raghupathy,Adv.

For Respondent(s) Mr. C.U. Singh,Sr.Adv.

No.3 In SLP 5093/13 Ms. Jane Cox,Adv.
& Respondent No.3 Mr. Nitin S. Tambwekar,Adv.
In SLP 5362/13: Mr. B.S. Sai,Adv.
Mr. K. Rajeev,Adv.

In SLP 5093/13: Mr. T.R. Andhyarujina,Sr.Adv.
(Respondent No.2) Mr. Arun R. Pedneker,Adv.
Mr. P.N. Salgaonkar,Adv.
Mr. V.N. Raghupathy,Adv.

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For Respondent No.4 Mr. J.P. Cama,Sr.Adv.
In SLP 5362/13: Mr. Manek J. Kalyaniwalla,Adv.
Mr. Shiv Kumar Suri,Adv.
Mr. Saswat Pattnaik,Adv.

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

Permission to file additional documents is granted.
Issue notice.
Let these matters be heard along with S.L.P. (C) No.32134
of 2011.
The issues involved in both the matters seem to have a

bearing on each other. Since the Respondent No.3-Forward Seaman's Union of India, and the Respondent No.2-National Union of Seafarers of India, are duly represented in S.L.P. (C) No.5093 of 2013, service on the said respondents is dispensed with. Let the other respondents be served, both in the usual course and also by way of Dasti service. The respondents will be entitled to file their respective counter affidavits to the special leave petition within two weeks. Rejoinder affidavit, if any, may be filed within two weeks thereafter.

As far as S.L.P. (C) No.5362 of 2013 is concerned, there will be similar directions for affidavits, but as far as service of notice is concerned, service shall be deemed to have been completed in respect of the Respondent Nos.3 and 4, who have already entered appearance in the matter.

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In the meantime, since Reference has also been made by the Central Government under Section 150 of the Merchant Shipping Act, 1958, and in view of Section 151 thereof, the concerned parties shall desist from going on strike for which notice was given on 4th January, 2013, for 20th and 21st February, 2013.

[T.I. Rajput]
A.R.-cum-P.S.

[Juginder Kaur]
Assistant Registrar