

ITEM NO.4+24

COURT NO.7

SECTION IX

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 5256/2006

(Arising out of impugned final judgments and orders dated 07/04/2005, 08/04/2005 and 11/04/2005 in SCA No. 1188/2004 passed by the High Court of Gujarat at Ahmedabad)

JOGADIA POLYMERS PVT. LTD

Petitioner(s)

VERSUS

BHAVNAGAR DIST. COOP BANK &amp; ORS.

Respondent(s)

(With appln.(s) for bringing on record the subsequent events/directions, c/delay in filing SLP, directions, permission to file additional affidavit, interim relief and office report)

With

I.A. Nos.3 & 4 in SLP(C) No.5258/2006

(With appln.(s) for c/delay, restoration and office report)

Date : 19/07/2016 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI

HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s) Ms. Meenakshi Arora, Sr. Adv.  
Ms. Mala Narayan, Adv.  
Mr. Rahul Narayan, Adv.  
Mr. Shashwat Goel, Adv.

For Respondent(s) Mr. Jaideep Gupta, Sr. Adv.  
Mr. Amar Dave, Adv.  
Mr. Mahesh Agrawal, Adv.  
Mr. E. C. Agrawala, Adv.

Mr. Nikhil Goel, Adv.  
Ms. Naveen Goel, Adv.  
Mr. Ashutosh Ghade, Adv.

Mr. Mohit D. Ram, Adv.  
Mr. Neeraj Kumar, Adv.  
Mr. Aniruddha Deshmukh, Adv.

Ms. Binu Tamta, Adv.  
Ms. Madhavi Diwan, Adv.  
Ms. Nidhi Khana, Adv.  
For Mr. B.K. Prasad, Adv.

Mr. Amit Sharma, Adv.

Mr. Anil Kumar Sangal, Adv.  
Mr. Siddharth Sangal, Adv.

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

SLP(C) No.5256/2006

Heard the learned counsels for the parties and perused the relevant material.

Delay condoned.

The special leave petition is dismissed.

The claims made before this Court by the Gujarat Maritime Board on account of statutory dues and by the Union of India on account of customs duties may be raised before the executing Court i.e. Principal Senior Civil Judge, Bhavnagar, Gujarat in Special Civil Application No.31 of 2002. The executing Court will decide the said claims and pass appropriate order(s) in accordance with law as expeditiously as possible.

We further direct that the proceeds of the auction sale of the ship, M.V. Palanga, after breaking of the said vessel, which has been deposited with the Court appointed Committee, constituted in terms of the Orders dated 08.02.2008 and 20.10.2008 and presently lying in fixed deposit be transmitted to the executing Court.

As a sequel to the above, all pending interlocutory applications are disposed of.

I.A. Nos.3 & 4 in SLP(C) No.5258/2006

Applications for condonation of delay as  
also the application for restoration are dismissed.

(Neetu Khajuria)  
Court Master

(Asha Soni)  
Court Master