

SECTION-IX
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 5256 OF 2006
WITH PRAYER FOR INTERIM RELIEF

WITH

INTERLOCUTORY APPLICATION NO. 1 OF 2006

(Application for condonation of delay in filing SLP)

WITH

INTERLOCUTORY APPLICATION NO. 6 OF 2008

(Application for directions/Clarification of Order dated 08.02.2008 filed by Ms. Meenakshi Arora, Advocate for the petitioner.)

WITH

INTERLOCUTORY APPLICATION NO. 11 OF 2010

(Application for Directions filed by Ms. Meenakshi Arora, Advocate for the petitioner)

WITH

INTERLOCUTORY APPLICATION NO. OF 2010

(Application for Directions filed by Mr. B. K. Prasad, Advocate for proposed party Union of India)

WITH

INTERLOCUTORY APPLICATION NO. 12 OF 2011

(Application to bring on record the subsequent facts and events and further directions filed by Ms. Meenakshi Arora, Advocate for the petitioner)

WITH

INTERLOCUTORY APPLICATION NO. 13 OF 2011

(Application for permission to file additional affidavit in I. A. No. 12 filed by Ms. Meenakshi Arora, Advocate for the petitioner) WITH

INTERLOCUTORY APPLICATION NO. 14 OF 2011

(Application for Directions filed by Mr. E. C. Agrawala, Advocate for R.No. 1)

WITH

INTERLOCUTORY APPLICATION NO. OF 2011

(Application for permission to file additional affidavit filed by Ms. Meenakshi Arora, Advocate for the petitioner)

WITH

INTERLOCUTORY APPLICATION NO. 15 OF 2012

(Application for recording one time settlement and necessary Directions filed by Mr. Anil Kumar Sangal, Advocate for R.No. 3.)

WITH

INTERLOCUTORY APPLICATION NO. 16 OF 2013

(Application for directions filed by Ms. Hemantika Wahi, Advocate for R.No. 5)

AND

INTERLOCUTORY APPLICATION NO. 17 OF 2016

(Application for substitution of M/s. Shree Jay Ambe Ship Breaking Co.- Op. Society Ltd. as respondent No. 3 filed by Mr. Anil Kumar Sangal, Advocate)

JAGODIA POLYMERS PVT. LTD.

...PETITIONER

-VERSUS-

BHAVNAGAR DISTRICT COOP. BANK. LTD. AND OTHERSRESPONDENTS

OFFICE REPORT

The matter along-with applications above mentioned were listed before the Hon'ble Court on 04th January, 2016 when the Court was pleased to pass the following Order:-

"The Ship in question has been dismantled and the scrap thereof have been sold in terms of the order(s) of this Court. An amount of Rs.3.07 crores (approx.) has been collected which should be lying in deposit with the Court Appointed Committee. There seems to be several claimants who have raised different claims under various heads. To enables us to effectively consider the matter and dispose of the same we direct each of the claimants to lay before us in writing the amount of their respective claim(s) as well as the basis of such claim(s). To all the aforesaid contentions as may be advanced before us in writing, the petitioner will have a right of reply. Once the aforesaid material is available which should be so available on or before 17th February, 2016, we propose to hear the matter on 23rd February, 2016. We make it clear that in the event the amount of Rs.3.07 crores has not been deposited with the Court Appointed Committee, the same shall be so deposited forthwith by the petitioner.

It is stated by Shri Jaideep Gupta, learned Senior Counsel appearing for the respondent No.1 - Bhavnagar District Cooperative Bank that the claims raised before this Court by the other claimants are not tenable and, therefore, are not required to be considered by this Court. The said position is disputed and will be considered after receipt of the written contentions and replies in terms of the above directions."

It is submitted for information of the Hon'ble Court that pursuant to aforesaid order, M/s. E. C. Agrawala and Nikhil Goel, Advocates for respondent Nos. 1 and 2 have filed additional affidavits and the same are being circulated before the Hon'ble Court.

It is further submitted that Mr. Anil Kumar Sangal, Advocate has filed an application for substitution of M/s. Shree Jay Ambe Ship Breaking Co.- Op. Society Ltd. as respondent No. 3 along-with vakalatnama/appearance and affidavit. The application is registered as Interlocutory Application No. 17 and the same is being circulated along-with affidavit before the Hon'ble Court with this report.

Service of notice is complete.

The matter along with applications above mentioned are listed before the Hon'ble Court with this Report.

Dated this the 22nd day of February, 2016.

ASSISTANT REGISTRAR

Copy to:

Ms. Rajan Narayan, Advocate

Ms. Shilpa Singh, Advocate

Mr. Anil Kumar Sangal, Advocate

Mr. E.C. Agrawala, Advocate

Mr. Anupam Lal Das, Advocate

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ASSISTANT REGISTRAR