

V  
SLP(C)No. 5751 OF 2003  
ITEM No.39

Court No.11

SECTION IX  
A/N MATTER

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.5751/2003  
(From the judgement and order dated 27/12/2002 in OJA 11/02  
of The HIGH COURT OF GUJARAT AT AHMEDABAD)

M/S JAISU SHIPPING COMPANY PVT. LTD.

Petitioner (s)

VERSUS

M.V. ASEAN JADE & ORS.

Respondent (s)

( With Appln(s). for permission to submit additional document(s)  
and modification/clarification and with prayer for interim relief)

Date : 03/02/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE BRIJESH KUMAR  
HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner (s)Mr. Anil B. Divan, Sr.Adv.  
Mr. S. Ganesh, Sr.Adv.

Mr. R.S. Suri,Adv.

Mr. Krishan Mahajan,Adv.  
Ms. Lata Krishnamurthy,Adv.  
Mr. C.B. Prasad,Adv.  
Mr. Raka B. Phookan,Adv.  
Mr. Samir Bhalotra,Adv.

For Respondent (s)Mr. R.F. Nariman, Sr.Adv.  
Mr. Prasant Pratap,Adv.  
Mr. Siddhartha Dave,Adv.  
Mr. Vibha Datta Makhija,Adv.

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

Leave granted.

Application for permission to submit additional documents is allowed.

I.A.No.2/2003:

This is an application for modification of an earlier order dated 12.9.2003, refusing the prayer for interim stay. It is submitted that in place of depositing the cash amount the petitioner may be allowed to furnish bank guarantee.

....2/-

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After hearing the counsel for the parties, we find no good reason to modify the order passed earlier. The petitioner shall deposit the amount within two weeks from today. It will, however, be open to the respondent to withdraw the same. If the respondent chooses to withdraw the amount, it shall be subject to the condition that in case the appeal succeeds, the said amount shall be refunded by the respondent to the appellant within a period of two weeks thereafter.

(A.S. BISHT) (PROMILA NAGPAL)

COURT MASTER

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