

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 4649 OF 2010

BOARD OF TRUSTEES PORT OF KOLKATA & ORS. Appellant(s)

VERSUS

NATWAR PARIKH INDUSTRIES LTD. & ORS. Respondent(s)

O R D E R

Heard the learned counsel for the parties.

After hearing the learned counsel for the parties, as agreed, the case should be remitted back to the High Court by setting aside the impugned judgment and order. The High Court has erred in declaring the provisions of Regulation 55 C ultravires as its vires was not in question in the writ petition.

The impugned judgment and order of the High Court is set aside and the High Court is requested to hear and decide the writ appeal afresh on merits and decide it in accordance with law.

The appeal is, accordingly, allowed.

.....J
(ARUN MISHRA)

.....J
(MOHAN M. SHANTANAGOUDAR)

NEW DELHI;
AUGUST 30, 2017

ITEM NO.109

COURT NO.10

SECTION XVI

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

Civil Appeal No(s).4649/2010

BOARD OF TRUSTEES PORT OF KOLKATA & ORS.

Appellant(s)

VERSUS

NATWAR PARIKH INDUSTRIES LTD.& ORS.

Respondent(s)

Date : 30-08-2017 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Appellant(s) Mr. Parag P. Tripathi, Sr. Adv.
Mr. Buddy A Ranganadhan, Adv.
Mr. A. V. Rangam, AOR

Ms. Mishika Bajpai, Adv.

For Respondent(s) Mr. Sanjib Sen, Sr. Adv.
Mr. Shroyana Singhvi, Adv.
Ms. Ekta Mehta, Adv.

Mr. A.K. Panda, Sr. Adv.

Ms. Kiran Bhardwaj, Adv.

Mr. T.A. Khan, Adv.

Mr. B.K. Prasad, Adv.

Mr. Anil Katiyar, AOR

Ms. Abhinandana Kain, Adv.

Mr. Nikhil Nayyar, AOR

Ms. Susmita Lal, AOR

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

The appeal is allowed in terms of the signed
order.

(B.PARVATHI)
COURT MASTER (SH)

(TAPAN KUMAR CHAKRABORTY)
BRANCH OFFICER

(Signed order is placed on the file)