

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(Civil) No.238/2003

G.S. BENIWAL AND ORS.

Petitioner (s)

VERSUS

UNION OF INDIA AND ANR.

Respondent (s)

(With Appln(s). for amendment of the petition and interim Relief)
(With Office Report)

Date : 26/09/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL
HON'BLE DR. JUSTICE AR. LAKSHMANAN

For Petitioner (s)Mr. Joseph Vellapally, Sr.Adv.
Mr. Anish Dayal, Adv.
Ms. Anitha Shenoy, Adv.
Mr. Abhishek Misra, Adv.

For Respondent (s)
-UOI:Mr. Venkateshwaran, Sr.Adv.
Mr. P.P. Malhotra, Sr.Adv.
Mrs. Shashi Kiran, Adv.
Mrs. Anil Katiyar, Adv.

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

The application for amendment of petition is allowed.
Rule nisi.

Upon hearing the submissions made on behalf of the parties, we do feel it expedient to pass an order interim order to the effect that the Certificate of Service shall stand extended for a period of six months from the date hereof. In the event of a Certificate of Service having an endorsement of Master's duties, the Department is directed to issue a Master's Certificate.

In the event,

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however, the Certificate of Service allows him to attend to some other duties like Chief Officer etc., the Department is directed to issue similar Certificates therefor. Be it noted that these certificate holders should have had international sailing for a period of about three months. The Court is of the view, though prima facie, that the Certificate so granted should otherwise entitle the petitioners to have an international sea voyage and it would thus be deemed to be a certificate under STCW95. This order is without prejudice to the rights and contentions of the parties and shall remain valid for a period of six months.

Liberty, however, is given to the parties to apply before Hon'ble the Chief Justice of India for early disposal.

It is further clarified that this order stands restricted to the petitioners before this Court

Tag with Civil Appeal Nos.6699-6700 of 2002.

(N. Annapurna)
Court Master

(S. Krishnan)
Court Master