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SLP(C)No. 8718-8719 OF 2004

ITEM No.44,45 & 46

Court No. 9

SECTION IX

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

Item No. 44

Petition(s) for Special Leave to Appeal (Civil) No.8718-8719/2004
(From the judgements and orders dated 23/26.3.2004 and 2/5.4.2004
in MCA 2340/03 & 2341/03 and SCA 1032/96 of The HIGH COURT OF
GUJARAT AT AHMEDABAD)

PALITANA SUGAR MILLS PVT. LTD. & ANR Petitioner (s)

VERSUS

STATE OF GUJARAT & ORS. Respondent (s)

(With prayer for interim relief and office report)

Item No. 45

Contempt Petition (Civil) No. 410/2004 in SLP(Civil)No.1562/2002

PALITANA SUGAR MILLS PVT. LTD. & ANR. Petitioner (s)

VERSUS

MS. VILASINIBEN RAMACHANDRAN AND ORS. Respondent (s)

Item No. 46

Contempt Petition (Civil) No. 411/2004 in C.A.No.5556/2001

PALITANA SUGAR MILLS PVT. LTD. & ANR. Petitioner (s)

VERSUS

MS. VILASINIBEN RAMCHANDRAN AND ORS. Respondent (s)

Date : 05/05/2004 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s)Mr. Harish N Salve, Sr. Adv. (in SLPs)
Mr. Nanavati, Sr. Adv. (in SLPs)
Mr. R F Nariman, Sr. Adv.(in Contempt Pets.)
Mr. P H Parekh, Adv.
Mr. E R Kumar, Adv.
Mr. Huzefa Ahmadi, Adv.
Mr. Sumit Goel, Adv.

for M/s. P H Parekh & Co., Advs.

For Respondent (s)/
Caveator(s)Ms. Hemantika Wahi,Adv.

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

SLP(C) Nos. 8718-8719/2004

Issue notice.

Ms. Hemantika Wahi, Adv. accepts notice on behalf of the respondents. Eight weeks' time is granted for filing counter affidavit.

We direct the District Inspector, Bhavnagar to go at the spot and identify and earmark 76 acres and 39 gunthas of land in Survey No. 469/1 in the presence of representatives of Bhavnagar Municipal Corporation, Government and the petitioner-Mill, if not already done, and further make entries to that effect in the revenue record within four weeks from today. We further direct that the Corporation shall sanction the layout plan within another two weeks after the land is identified and dues are paid. The petitioner-Mill shall not part with the land or construction made on the aforesaid land in favour of third party. However, it is clarified that it would be open to the Government to take any decision which may be permissible under law and this order would not come in their way.

List after summer vacation.

Contempt Petition (Civil) No. 410/2004 in SLP(C) No.1562/2002
and Contempt Petition (Civil) No. 411/2004 in C.A. No.5556/2001

Issue notice.

Personal appearance of the respondents/contemnors is dispensed with for the time being.

Ms. Hemantika Wahi, Adv. accepts notice on behalf of the respondents/contemnors. Eight weeks' time is granted for filing counter affidavit.

List after summer vacation.

(D.P. WALIA)
COURT MASTER

(VEERA VERMA)
COURT MASTER