

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil)...../2009
CC 4331/2009

(From the judgement and order dated 26/03/2009 in APO No. 82/2009 of The
HIGH COURT OF CALCUTTA)

INTRNATIONAL SEA PORTS(HALDIA)P.LTD.

Petitioner(s)

VERSUS

BOARD OF TRUST.FOR THE PORT OF CAL.&ANR.

Respondent(s)

(With appln(s) for permission and exemption and with prayer for interim relief
and office report)

Date: 17/04/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU

HON'BLE MR. JUSTICE V.S. SIRPURKAR

For Petitioner(s) Dr. A.M.Singhvi, Sr.Adv.

Mr. Debol Banerjee, Sr. Adv.

Ms. Ruby Singh Ahuja, Adv.

Ms. Simran Brar, Adv.

Mr. Abeer Kumar, Adv.

Mr. R. Karanjawala, Adv.

Ms. Manik Karanjawala, Adv. for

M/S. Karanjawala & Co.

For Respondent(s)

Mr. G.E. Vahanvati, SG

Mr. A.V. Rangan, Adv.

Mr. B.A. Ranganathan, Adv.

UPON hearing counsel the Court made the following
ORDER

Permission to file Special Leave Petition is granted.

We have heard learned counsel appearing for the

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parties.

We note with utter consternation that inspite of every possible effort, the copy of the judgment dated 26.3.2009 passed by the Division Bench in A.P.O. No. 82 of 2009 has not been provided to the petitioner so far. That should never have happened. At least, the copy of the operative order should have been given to the parties. That was the minimum right of the parties. We hope that this does not happen in future.

This Special Leave Petition has become infructuous because the bank guarantee has admittedly been encashed. Therefore, we leave the matter as that.

Dr. A.M. Singhvi, learned senior counsel appearing for the petitioner, however, expresses that the judgment dated 26.3.2009 of the Division Bench of the Calcutta High Court passed in A.P.O. No. 82 of 2009 might come against the parties concerned and, therefore, some protection should be provided to the petitioner.

In the facts and circumstances of the case, we feel that for any future course to the litigation, the aforesaid judgment of the Division Bench of the Calcutta High Court shall not be considered.

This Special Leave Petition is, accordingly, dismissed as having become infructuous.

(Pardeep Kumar)
Court Master

(Indu Satija)
Court Master