

ITEM NO.3

COURT NO.5

SECTION XIA

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(s).5963/2007

(From the judgement and order dated 14/03/2007 in Misc.Case No.1/2007
arising out of Admiralty Suit No.2/2006 of The HIGH COURT OF ORISSA
AT CUTTACK)

CARGILL INDIA PVT. LTD.

Petitioner(s)

VERSUS

OWNERS AND PARTIES INTERESTED AND CONCERNED

IN THE VESSEL MT-TIRTA-NIAGA-I & ORS.

Respondent(s)

[With prayer for interim relief]

WITH

S.L.P.(C)no.6323/2007

[With prayer for interim relief and office report]

Date: 25/04/2007 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE H.S. BEDI

For Petitioner(s)

Mr. Ashok H. Desai, Sr. Adv.

in SLP(C) 5963/2007 & Mr. Amit Dhingra, Adv.
for respondent no.1 Mr. Raghav Mathur, Adv. for
in SLP(C) 6323/2007 M/s. Dua Associates, Advs.

For Respondent No.1 Mr. C.A. Sundaram, Sr. Adv.
in SLP(C) 6323/2007 Mr. Prashant S. Pratap, Adv.
& for petitioner Mr. Tilak Bose, Adv.
in SLP(C) 5963/2007 Mr. Pinaki Addy, Adv.
Mr. Chiraranjan Addey, Adv.

UPON hearing counsel the Court made the following

O R D E R

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We have heard learned counsel for petitioner and the caveator
(respondent no.1) in both the Special Leave Petitions.

S.L.P.(C)No.5963/2007 etc. (Contd.)

We find no reason to interfere with the order passed by the High Court.

We, however, clarify that instead of a local surety, respondent no.1 in

S.L.P.(C)No.5963 of 2007, viz., Owners & Parties interested and concerned in

the Vessel MT-TIRTA-NIAGA-I may furnish, by way of security, a Letter of
Undertaking given by the P&I Club of North of England in favour of the

petitioner in the said Special Leave Petition, a copy whereof shall be
submitted to the Court. The said undertaking shall be furnished within
a

week from today.

We notice that the High Court had directed the main matter to be

placed for hearing after six weeks. We hope that the High Court will be able to dispose of the matter on the next date of hearing.

We make it clear that all contentions are left open.

The Special Leave Petitions are dismissed accordingly.

(Subhash Chander)

Court Master

(Vijay Dhawan)

Court Master