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SLP(C)No. 11440 OF 2001
ITEM No.59 & 63

Court No. 6

SECTION IX
A/N MATTER

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.11440/2001

(From the judgement and order dated 01/08/2000 in AN 258/91
of The HIGH COURT OF BOMBAY)

JAMSHED HORMUSJI WADIA

Petitioner (s)

VERSUS

BOARD OF TRUSTEES, PORT OF MUMBAI & ANR.

Respondent (s)

(With Appln(s). for c/delay in filing SLP & for c/delay in refiling
SLP & permission to submit additional document(s) & directions)
(With prayer for interim relief)

With

SLP(C)...CC 5088/2001, SLP(C)...CC 5112/2001, SLP(C)...CC 5160-5161/2001
SLP(C)...CC 5160-5161/2001, SLP(C)...CC 5223-5224/2001,
SLP(C)...CC 5239-5240/2001

With I.A.No.1 - appln. for c/delay in filing SLP

Date : 13/08/2001 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.N. KHARE
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Petitioner (s) in SLP 11440/01	Mr. FS Nariman, Sr. Adv. Mr. RF Nariman, Sr. Adv. Mr. P.H. Parekh, Adv. Mr. D. Khambata, Adv. Mr. Sameer Parekh, Adv. Mr. D.P. Mohanty, Adv.
in CC 6112, 5088/01	Mr. RF Nariman, Sr. Adv. Mr. Gaurab Banerjee, Adv. Mr. Virender Ashar, Adv. Mr. Punjnani, Adv. Mr. Rajesh Kumar, Adv.
in SLP...CC 5223-24, 5239-40/2001	Mr. Chander Uday Singh, Adv. Mr. Gopal Jain, Adv. Mr. SUK Sagar, Adv. for M/s. Lawyers Knit & Co.
in SLP ...CC 5160-61/01	Mr. Gopal Jain, Adv. Mr. SUK Sagar, Adv. for M/s. Lawyers Knit & Co.

contd....2/-

For Respondent (s) Mr. Altaf Ahmed, ASG.
 in SLP 11440/2001 Mr. JB Dadachanji, Adv.
 Mr. UJ Makhija, Adv.
 Mr. KJ Gandhi, Adv.
 Ms. A.R. Mathurvaisya, Adv.
 Mr. Buddy A. Ranganadhan, Adv. for
 M/s J.B. Dadachanji & Co., Adv.

For intervenor Mr. MN Krishnamani, Sr. Adv.
 Mr. S.R. Setia, Adv.

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

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In S.L.P.(C)No. 11440/2001@@
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Delay condoned.
 Learned counsel prays for and is allowed three weeks' time for filing application for substituted service to serve respondent No.2.

Leave granted. Exemption allowed.

In the meantime, the judgment under challenge shall remain stayed provided the appellant herein deposits the admitted monthly rent as and when it falls due and for the balance amount shall furnish the security in the form of bond executed by the Directors or the proprietor of the firm. This shall be subject to the final decision in the appeal.

In SLP(C)Nos. CC 5112/2001, CC 5088/2001, CC@@
 CCC
 5160-5161/2001 & CC 5223-5224/2001@@
 CCC

Delay condoned.

Issue notice.

Notice has been accepted by Mr. B.A. Ranganadhan, learned counsel appearing for J.B.D. & Co. on behalf of the respondents in all these matters. He prays for and is allowed four weeks' time for filing the

contd...3/-

counter affidavit. Rejoinder affidavit be filed in another two weeks.

Leave granted. Exemption allowed.

In the meantime, the judgment under challenge shall remain stayed provided the appellants herein shall deposit the admitted monthly rent as and when it falls due and for the balance amount shall furnish the security in the form of bond executed by the Directors or the proprietor of the firm. This shall be subject to the final decision in the appeals.

The applications for intervention be considered at the time of hearing for the appeals.

Leave to amend the appeal @ S.L.P.(C)Nos.....CC 5223-5224/2001 is granted.

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(Neelam Kawatra)
 Court Master

(S.Krishnan)
 Court Master