

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).22768-22770/2011
(From the judgement and order dated 11/02/2011 in OJC No.6412/1999,WP
No.4825/2004,WP No.5311/2009 of The HIGH COURT OF ORISSA AT CUTTACK)

DAMODAR JENA & ORS.

Petitioner(s)

VERSUS

PARADIP PORT TRUST & ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 17/09/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s)

Mr. P.H. Parekh, Sr. Adv.

Mr. NK Sahoo, Adv.

Ms. Ritika Sheffhy, Adv.

Ms. Sunita Sharma, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Heard.

Mr. P.H. Parekh, learned senior counsel appearing for the petitioners has drawn our attention to an order dated 26.02.1997 passed by the High Court of Orissa at Cuttack in O.J.C. No. 3308 of 1995. According to the said order the High Court had directed the respondent - Pradip Port Trust & Ors. to provide work to the petitioners, who are enlisted in the standby list as and when work is available. Mr. Parekh argues that although Pradip Port Trust has been expanded many fold over the past two decades, the direction issued by the High Court has not been implemented no matter the volume of work has also expanded many fold because of the said expansion. He has in this regard placed on record certain documents on the basis whereof he argued that work was indeed available on account of considerable growth of Pradip Port Trust but was not being given to the petitioners, who are waiting endlessly for the same and facing hardships on account of an unfair denial of what was due to them under the scheme and the order passed by the High Court. He seeks in that view of the matter leave of this Court to agitate this matter before the High Court in proper proceedings based on the earlier order passed by the said court.

In that view, we permit Mr. Parekh to withdraw these petitions with liberty to the petitioners to agitate the matter before the High Court on the strength of the order passed earlier by the said Court. In case any such petition is filed, we expect from the High Court to look into the matter and pass appropriate orders in accordance with

law. We hasten to add, that we are not expressing any opinion on the merits of the contentions urged by Mr. Parekh or the maintainability of the proposed proceedings before the High Court who shall be free to take an appropriate view on either one of those aspects in accordance with law.

The Special Leave Petitions are dismissed as withdrawn, with the above observations. No costs.

| (N.K. Goel)
| Court Master

| | (Veena Khera)
| | Court Master

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