

d% SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

I.A. No. 6
IN
I.A. No. 4
IN
CIVIL APPEAL NO(s). 4914 OF 2008

MUMBAI INTERNATIONAL AIRPORTS P.LTD. Appellant (s)

VERSUS

FLEMINGO DUTYFREE SHOP P.LTD.& ORS. Respondent(s)

O R D E R

I.A. No. 6 of 2011

This is an application for recalling the Order dated 21.11.2011 of the learned Chamber Judge, by which, the application for intervention filed by the applicant was rejected as nobody appeared in support of the application on that date.

I have perused the application supported by Affidavit and heard learned counsel for the applicant.

I am satisfied that the applicant had sufficient cause for not appearing before the learned Chamber Judge on 21.11.2011.

The application is allowed.

The application for intervention is restored to file.

I.A. No. 4 of 2011

Heard learned counsel for the applicant as well as the counsel for the appellant in the Civil Appeal.

The application for intervention is allowed. The applicant, however, will not be impleaded as a respondent but will be heard through its counsel at the time of hearing of the Civil Appeal.

.....J.
[A. K. PATNAIK]

NEW DELHI
APRIL 02, 2012
ITEM NO.14

COURT NO.13

SECTION IX

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

I.A. No. 6
IN
I.A. No. 4
IN
CIVIL APPEAL NO(s). 4914 OF 2008

MUMBAI INTERNATIONAL AIRPORTS P.LTD.

Appellant (s)

VERSUS

FLEMINGO DUTYFREE SHOP P.LTD.& ORS.

Respondent(s)

(With appln(s) for restoration of I.A. No. 4 (Appl. For Intervention and office report))

Date: 02/04/2012 This Appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. PATNAIK
(IN CHAMBERS)

For Appellant(s) Mr. Ashish Jha, Adv.
Ms. Meenakshi Chatterjee, Adv.
Mr. Siddhartha Chowdhury, Adv.

For Respondent(s) Mr. Anupam Lal Das, Adv.
Mr. F.A. Ayyubi, Adv.
Mr. B. Krishna Prasad, Adv.
Mr. D.S. Negi, Adv.
Mr. Divanu Agarwal, Adv.
Ms. Bina Gupta, Adv.
Ms. Radhika Mathur, Adv.
Mr. Arunabh Chowdhury, Adv.
Mr. Vaibhav Tomar, Adv.

For Applicant Mr. Atul Sharma, Adv.
Mr. Milanka Chaudhury, Adv.
Mr. Sardjanand Jha, Adv.
Mr. Sunil Fernandes, Adv.

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

I.A. No. 6 of 2011

This is an application for recalling the Order dated 21.11.2011 of the learned Chamber Judge, by which, the application for intervention filed by the applicant was rejected as nobody appeared in support of the application on that date.

I have perused the application supported by Affidavit and heard learned counsel for the applicant.

I am satisfied that the applicant had sufficient cause for not appearing before the learned Chamber Judge on 21.11.2011.

The application is allowed.

The application for intervention is restored to file.

I.A. No. 4 of 2011

Heard learned counsel for the applicant as well as the counsel for the appellant in the Civil Appeal.

The application for intervention is allowed.

The applicant, however, will not be impleaded as a respondent but will be heard through its counsel at the time of hearing of the Civil Appeal.

(Jayant Kumar Arora)
Sr. P.A.

(Madhu Saxena)
Assistant Registrar

(Signed order is placed on the file)