ìITEM NO.19 COURT NO.2 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)...../2009
(CC 11687/2009)
(From the judgement and order dated 10/12/2008 in WA No.2022/2003
of The HIGH COURT OF KERALA AT ERNAKULAM)

MARINE CONTAINER SERVICES (SOUTH)P.LTD. Petitioner(s)

VERSUS

BOARD OF TRUSTEES OF THE PORT OF COCHIN Respondent(s)

(With appln(s) for c/delay in filing SLP)

Date: 24/08/2009 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE B.N. AGRAWAL
HON'BLE MR. JUSTICE G.S. SINGHVI

For Petitioner(s) Mr. Sanand Ramakrishnan,Adv.
Mr. Rajeev Mishra,Adv.
Mr. Arun Francis,Adv.
Mr. Parmanand Pandey,Adv.

For Respondent(s)

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

Heard learned counsel for the petitioner.

After some arguments, learned counsel for the petitioner is permitted to withdraw this petition with liberty to the petitioner to file properly constituted suit before the competent court. As the petitioner was bona fide prosecuting the writ application and the writ appeal, it is directed that if an application is filed under Sections 5 and 14 of the Limitation Act, 1963, along with the plaint, delay in filing the suit shall be condoned.

The special leave petition is, accordingly, disposed of.

[Alka Dudeja]
Court Master

[Savita Sainani]
Court Master