

ITEM NO.24

COURT NO.8

SECTION XVIA

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

Transfer Petition(s) (Civil) No(s). 873/2012

M/S KANORIA CHEMICALS & INDUSTRIES LTD

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(with appln. (s) for directions and office report)

WITH

T.P. (C) No. 1466/2012

(With appln.(s) for stay and Office Report)

T.P. (C) No. 1473/2012

(With appln.(s) for stay and Office Report)

SLP(C) No. 28948/2012

(With appln.(s) for directions and appln.(s) for impleadment and
appln.(s) for permission to file additional documents and appln.(s)
for permission to file additional documents and Interim Relief and
Office Report)

Date : 27/10/2014 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J. CHELAMESWAR

HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

For Petitioner(s) Mr. Huzefa Ahmadi, Sr. Adv.
Mr. Ejaz Maqbool, Adv.

Mr. Nikhil Goel, Adv.

For Respondent(s)

(Kandla Port Trust Authority)

Mr. Neeraj Kishan Kaul, ASG

Mr. Sanjay Kapur, Adv.

Ms. Priyanka Das, Adv.

Ms. Lekha Vishwanath, Adv.

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

This application (I.A.No.2/2014 in T.P. (C) NO.873/2012) is
filed with the prayer as follows:

"(a) Implead the proposed Respondents as party-Respondent No.4, 5 & 6 in the above mentioned Transfer Petition (Civil) No.873 of 2012; and/or,
(b) Pass such other or further order or orders or such directions as the Hon'ble Court may deem fit and proper in the facts and circumstances of the case to meet the ends of justice.

Accepting the reasons stated in the application, application for impleadment (I.A.No.2/2014 in T.P.(C) NO.873/2012) is allowed and proposed respondents are impleaded as party respondent No.4, 5 and 6. Notice be issued to the newly impleaded respondents 4, 5 and 6.

It is brought to our notice by learned counsel for the petitioner that during the pendency of the Writ Petition (C) No.11550/2009 on the file of the Delhi High Court, a number of Miscellaneous Applications came to be filed by various persons who were former lessees of certain plots of land belonging to Kandla Port Trust Authority. They apprehended that their interests could be affected by the orders that may eventually be passed by the Delhi High Court in the above mentioned writ petition. Therefore, they sought that they be impleaded as parties to the said writ petition. By an order dated 16.5.2012, the Delhi High Court allowed the said application(s). Those various applicants numbering 11 are also in our opinion required to be put on notice in the instant matter. A list of such applicants is given by Mr. Huzefa Ahamdi, learned counsel for the petitioner in T.P. (C)No,.873/2012 . Therefore, we implead these 11 applicants, namely, Mr. Chirai Salt Works, New Kandla Salt & Chemical Co. Pvt.

Ltd, Vijay Salt Syndicate, Friends Salt and Allied Industries Pvt. Ltd., Rajesh Salt Works, Urvakunj Nicotines Ltd., Krishna Salt Industries, Dungarsee Salt Works, Shree Laxmi Salt & Allied Industries Pvt Ltd. Shree Kandla Salt Industries Pvt. Ltd. and Bhuvneshwari Salt Works as party respondents. The Registry is directed to issue notice to the above mentioned newly impleaded parties also.

Learned counsel for the petitioner prays that he may be permitted to serve all these newly impleaded parties through dasti service in addition to the normal mode of service. Prayer is allowed.

Learned counsel for the respondent in SLP (c) No.28948/2012 prays and is permitted to file counter affidavit within four weeks.

[O.P. SHARMA]
COURT MASTER

[INDU BALA KAPUR]
COURT MASTER