

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9403 OF 2013
(SPECIAL LEAVE PETITION(C)NO.23772 OF 2009)

ESSEL INFRAPROJECTS LIMITED

APPELLANT

VERSUS

GORAI MACHHIMAR S.S.LIMITED & ORS.

RESPONDENTS

O R D E R

1. Leave granted.

2. This appeal is directed against the judgment and order passed by the High Court of Judicature at Bombay in Writ Petition No.1202 of 2001, dated 18.07.2009, whereby the High Court has allowed the Writ Petition filed by the respondent Nos.1 and 2 -herein and set aside the order passed by the present respondent no.4-herein, the then Minister (Revenue), Government of Maharashtra, dated 29.04.1997.

3. Shri Harish N.Salve, learned senior counsel appearing for the appellant-Company, on instructions, would submit that during the pendency of this appeal, the parties to the lis have settled their dispute and entered into a settlement. In view of the said settlement arrived at between the parties, he requests this Court to set aside the order passed by the High Court in Writ Petition No.1202 of 2001, dated 29.04.1997 and confirm the order passed by the First Appellate Authority, dated 29.04.1997.

: 2 :

4. Though we have some reservations to set aside the orders passed by the High Court, since the parties have settled the lis between themselves, we allow this appeal, set aside the impugned judgment and order passed by the High Court and confirm the order passed by the First Appellate Authority, dated 29th April, 1997.

5. The Civil Appeal is disposed of accordingly. No costs.

Ordered accordingly.

.....J.
(H. L. DATTU)

.....J.
(M. Y. EQBAL)

NEW DELHI;
OCTOBER 21, 2013
ITEM NO.30

COURT NO.4

SECTION IX

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(s).23772/2009
(From the judgement and order dated 18/07/2009 in WP No.1202/2001 of the
HIGH COURT OF JUDICATURE AT BOMBAY)

ESSEL INFRAPROJECTS LIMITED

Petitioner(s)

VERSUS

GORAI MACHHIMAR S.S.LIMITED & ORS. Respondent(s)
(With appln(s) for permission to file lengthy list of dates)

Date: 21/10/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU
HON'BLE MR. JUSTICE M.Y. EQBAL

For Petitioner(s) Mr.Harish N.Salve, Sr.Adv.
Ms.Vibha Datta Makhija, Sr.Adv.
Mr.Tejveer Singh, Adv.
Mr.Gaurav Sharma, Adv.
For M/S. "Coac",Advs.

For Respondent(s) Mr.Kailash Pandey, Adv.
Mr.Ranjeet Singh, Adv.
Mr.Prashant, Adv.
Mr. K.V. Sreekumar,Adv.

Mr.Sanjay Kharde, Adv.
Ms. Asha Gopalan Nair ,Adv

Mr. Aniruddha P. Mayee ,Adv
Mr.Charudatta Mahindrakar, Adv.

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

Leave granted.

The Civil Appeal is disposed of, in terms of the signed order.

(G.V.Ramana)
Court Master
(signed order is placed on the file)

(Vinod Kulvi)
Asstt.Registrar