

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL.) NO(s). 928-929 OF 2010
(FOR PREL.HEARING)

PSA SICAL TERMINALS LTD.

Petitioner(s)

VERSUS

UNION OF INDIA & ANR

Respondent(s)

O R D E R

1. Let notice issue on the transfer petitions, but since the respondents are duly represented, service of such notice is dispensed with. The transfer petitions are taken up for disposal immediately.

2. These transfer petitions, being T.P(C)Nos.928-929 of 2010, have been filed by PSA Sical Terminals Ltd., praying for transfer of Writ Petitions No.19851 and 19384 of 2010, titled PSA Sical Terminals Ltd. Vs. Union of India & Anr., pending before the Madras High Court, to this Court.

3. The transfer petitions have been made on account of the fact that in the writ petition

2

before the Bombay High Court, certain views had been taken with regard to the policy adopted by the Ministry of Shipping and Road Transport and Highways, Government of India, with regard to the handling of container terminals in the ports. The

view taken by the Bombay High Court had been endorsed by this Court subsequently. In order to

ensure that the policies and the submissions advanced on behalf of the Ministry of Shipping are

more or less homogeneous in the different parts in India, we are of the view that the matter should be transferred to this Court in order to avoid conflicting opinions and multiplicity of proceedings.

4. Having regard to the above, we allow the transfer petitions and direct that the pending writ petitions, referred to hereinabove, shall stand transferred to this Court for consideration and disposal.

5. The Madras High Court is requested to send the records of the two writ petitions to this Court expeditiously.

6. The respondents will be entitled to file their counter affidavits to the writ petition

3

within three weeks; rejoinder, if any, thereto, may be filed within two weeks thereafter.

7. Let the writ petitions be listed for hearing immediately upon completion of the pleadings.

8. The interim orders, as passed on 21st September, 2010, will continue in the meantime.

9. The transfer petitions are disposed of accordingly.

.....J.

(ALTAMAS KABIR)

.....J.

(A.K. PATNAIK)

NEW DELHI,
September 28, 2010.

RECORD OF PROCEEDINGS

TRANSFER PETITION (CIVIL.) NO(s). 928-929 OF 2010(FOR PREL.HEARING)

PSA SICAL TERMINALS LTD. Petitioner(s)

VERSUS

UNION OF INDIA & ANR Respondent(s)

(With appln(s) for directions and office report)

WITH
SLP(C)No.13893 of 2010
((with appln.(s) for permission to file addl.documents (Vol.I) and
permission to file addl.documents and exemption from filing typed
copies and with prayer for interim relief)
(for final disposal)

Date: 28/09/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Ms. Nalini Chidambaram, Sr. Adv.
Mr. Kush Chaturvedi, Adv.
Ms. Prerna Priyadarshini, Adv.
Mr. Vikas Mehta, Adv.

For Respondent(s) Mr. Anupam Lal Das, Adv.

In SC13893/10 Mr. H.P. Raval, ASG.
Mr. Ajay Sharma, Adv.

Mr. Gopal Subramaniam, S.G.
Mr. R.Nedumaran, Adv.
Mr. Anubhav Kumar, Adv.
Mr. Vimal Dubey, Adv.

5

Mr. D.S. Mahra, Adv.

6

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

Let notice issue on the transfer petitions,
but since the respondents are duly represented,
service of such notice is dispensed with. The
transfer petitions are taken up for disposal
immediately.

In terms of the signed order, the transfer
petitions are disposed of.

Let these matters be taken up along with

SLP(C)No.13893 of 2010, filed by APM Terminals

B.V., appearing as Item No.16 in today's list.

Liberty to mention.

(Sheetal Dhingra)

Court Master

[Signed order is placed on the file]

(Juginder Kaur)

Court Master