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ITEM NO.30

COURT NO.7 SECTION XVI  
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 (C) No(s).8404/2016  
(Arising out of impugned final judgment and order dated 07/03/2016  
in AST No. 86/2016 passed by the High Court of Calcutta)  
M/S E.C. BOSE AND COMPANY PRIVATE LTD. Petitioner(s)

VERSUS

THE BOARD OF TRUSTEES FOR THE PORT OF  
CALCUTTA AND ORS. Respondent(s)  
(with appln. (s) for exemption from filing c/c of the impugned  
judgment and permission to file additional documents and interim  
relief and office report)

WITH

S.L.P.(C)...CC No. 5928-5929/2016  
(With appln.(s) for permission to file SLP without c/copy as well  
as plain copy of impugned order and appln.(s) for exemption from  
filing c/copy as well as plain copy of the impugned order and  
Interim Relief and Office Report)

Date : 11/04/2016 These petitions were called on for hearing today.

CORAM :

HON&#39;BLE MR. JUSTICE MADAN B. LOKUR

HON&#39;BLE MR. JUSTICE N.V. RAMANA

For Petitioner(s) Mr. M.C. Dhingra, Adv.

Mrs. Priya Puri, AOR

Mr. Saikesh Gupta, Adv.

Ms. Churchi Mandakini, Adv.

Mr. Ranjay Kr. Dubey, Adv.

S.L.P.(C)...CC No. 5928-5929/2016

Mr. Mukul Rohatgi, AG

Mr. Parag P. Tripathi, Sr. Adv.

Mr. A. V. Rangam, AOR

Mr. Buddy A. Ranganadhan, Adv.

Mr. D.V. Raghu Vamsy, Adv.

Ms. Anasuya Choudhury, Adv.

For Respondent(s) Mr. Mukul Rohatgi, AG

Mr. Parag P. Tripathi, Sr. Adv.

Mr. A. V. Rangam, AOR

Mr. Buddy A. Ranganadhan, Adv.

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UPON hearing the counsel the Court made the following

O R D E R

SLP(C) No.8404/2016

The special leave petition is dismissed.

S.L.P.(C)...CC No. 5928-5929/2016

We have heard learned counsel for the parties.

In respect of the impugned order dated 7 th

March, 2016

passed by the High Court of Calcutta, in our opinion, the  
High Court having held that it has no jurisdiction to  
entertain the matter and the dispute should be referred  
to arbitration, it was not appropriate for the High Court  
to issue directions in regard to bank guarantee and the  
letter of intent. The directions are vacated.

We also make it clear that the Authority before whom  
M/s. E.C. Bose & Company Private Ltd. may choose to  
proceed will not be influenced by the order passed by the

High Court.

With the above observations, the special leave petitions are disposed of.

Pending applications are disposed of.

(SANJAY KUMAR-I)

AR-CUM-PS

(JASWINDER KAUR)

COURT MASTER