

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 26TH DAY OF AUGUST 2021
PRESENT
THE HON'BLE MR. JUSTICE ALOK ARADHE
AND
THE HON'BLE MR. JUSTICE HEMANT CHANDANGOUDAR

WRIT APPEAL NO.4424 OF 2013 (GM-RES)

IN

WRIT PETITION NO.34542 OF 2011 (GM-RES)

BETWEEN:

M/S ASPINWALL & CO. LTD.,
A COMPANY REGISTERED
UNDER THE COMPANIES ACT, 1956
HAVING ITS OFFICE AT KULSHEKAR,
MANGALORE 575005 REP. BY ITS
AUTHORIZED SIGNATORY
SRI. M. SHEKHARA PUJARI.

...APPELLANT

(BY SRI MANU KULKARNI, ADVOCATE)

AND:

1. UNION OF INDIA,
MINISTRY OF SHIPPING,
NO.1, TRANSPORT BHAVAN,
PARLIAMENT STREET,
NEW DELHI-110001
BY ITS SECRETARY
2. THE CHAIRMAN,
TARIFF AUTHORITY FOR MAJOR PORTS,
4TH FLOOR, BHANDAR BAHVAN
MUZAWAR PAKHADI ROAD
MAZGAON,
MUMBAI-400010.
3. THE CHAIRMAN,
NEW MANGALORE PORT TRUST,

PANAMBUR,
MANGALORE-575010.

...RESPONDENTS

(BY SRI UNNIKRISHNAN M, SR.CGC FOR R1 AND R2 - ABSENT
SRI SUBRAMANYA R FOR M/S ASHOK HARA HANNALI ASSTS,
ADVOCATE FOR R3 - ABSENT)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
ORDER PASSED IN THE WRIT PETITION 34542/2011 DATED
28/6/13.

THIS APPEAL COMING ON FOR ORDERS THIS DAY,
ALOK ARADHE J., DELIVERED THE FOLLOWING:

JUDGMENT

The learned counsel for the appellant submitted that
on account of efflux of time, the issue involved in this
appeal is rendered academic. However, it is made clear
that the issue involved in this appeal is kept open to be
agitated as and when occasion arises including the pending
proceedings, if any.

with the aforesaid liberty, the appeal is disposed of.

**Sd/-
JUDGE**

**Sd/-
JUDGE**

BKM