

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.4487 OF 2013 (GM-RES)

IN

WRIT PETITION NOS.34491 & 34874/2011 (GM-RES)

BETWEEN:

M/S HASAN HAJEE & COMPANY
A PARTERSHIP FIRM
HAVING ITS OFFICE AT 20/8/678
KHADEEJA COURT, NEAR OLD
MUNICIPAL OFFICE ROAD,
BUNDER, MANGALORE-575001,
REPRESENTED BY ITS MANAGING PARTNER
SRI B KUNHI AHMED.

...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, 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 34491/2011 &
34874/2011 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