



IN THE ADJUDICATORY BOARD FOR MAJOR PORTS, MUMBAI
Application No.05/2025

Paradip Port Banik Sangha ... Applicant

Versus

Paradip Port Authority ... Respondent

Appearance:

For the Applicant : Advocate Deepak Kumar Mohanty
For the Respondent : Advocate Ahmed Padela

CORAM:

HON'BLE SHRI JUSTICE A.J. DESAI, PRESIDING OFFICER

HON'BLE SHRI C. VISWANATH, MEMBER

HON'BLE DR. SANJEEV RANJAN, MEMBER

Date: 10 April 2026

ORDER

1. The present Applicant i.e. Paradip Port Banik Sangha had filed a Writ Petition (Civil) No.5253/2024 in the High Court of Orrisa at Cuttack. The aforesaid petition was disposed of by the High Court of Orrisa on 08 April 2025 as follows:

“7. Accordingly, the writ petition is disposed of giving liberty to the petitioner to approach the Adjudicating Board within a period of four weeks from the date of receipt of a copy of this order and submit their grievance by way of representation to the Adjudicating Board.....

8. Balancing equity inter se between the parties, it is directed that the petitioner shall pay the current dues at the prescribed rate fixed in 2014 till the disposal of the lis by the Adjudicating Board.





Further it is directed that before submitting their grievance in terms of the aforesaid direction, the members of the petitioner-association shall clear 50% of the arrear dues as fixed in 2014."

2. When the matter was listed for hearing on 13 March 2026 before the Board, the Board passed the following Order:

"Both the Learned Advocates for Applicant and Respondent may file Affidavit within 2 weeks from today in connection with compliance of the Order of the Hon'ble High Court of Orrisa at Cuttack with reference to payment of dues. Parties may also permit to file written submission.

The matter will be listed for further hearing on 10 April 2026."

3. In compliance with the Order, the present Applicant has filed Affidavit along with certain documents. A copy of the Affidavit along with the documents has been served to the Respondent on 06 April 2026. The Respondent has filed an Affidavit sworn by the Senior Estate Manager on 30 March 2026 and placed before the Board today i.e. 10 April 2026. However, there is no response to the latest Affidavit served on 06 April 2026.

4. Learned Counsel for the Applicant states that the Applicant has complied with the Order passed by the High Court of Orrisa at Cuttack. About 70% of the shopkeepers who are the Members of the Applicant Sangha have paid and while the Learned Counsel of Respondent states that out of 1072 shops there are dues against around 352 shops. It is, therefore, not true that all the Members of the Applicant Sangha have complied with the directions issued by the High Court of Orissa at Cuttack.





We are of the considered opinion that the Petitioner / Applicant Sangha can inform the shopkeepers who have not complied with the Order passed by the High Court of Orissa at Cuttack about the binding effect of Judgement / Order of the High Court of Orissa at Cuttack. Applicants may be informed that those shopkeepers who have not complied with the High Court of Orissa at Cuttack have to comply with the Order passed by the High Court of Orissa at Cuttack or to face consequences of the Order / Judgement which may be passed hereinafter by the Board.

The Respondent is also hereby directed to prepare details about those shopkeepers who have not complied with the orders of the High Court of Orissa at Cuttack and dues of those Members of the Applicant. The Port shall also supply a copy of the details to the Petitioner / Applicant Sangha about the same within a period of 4 weeks from today. It would be open for those Members of the Applicant to pay the dues as per High Court of Orissa at Cuttack Order and to comply with the Order passed by the High Court of Orissa at Cuttack. The Applicant, therefore, shall file Affidavit thereafter within a period of 4 weeks i.e. upto 05 June 2026. The Respondent is also directed to file additional Affidavit on or before 05 June 2026.

5. The parties shall exchange all the Affidavits on or before 19 June 2026. It is hereby made clear that the Affidavit which may be filed subsequent to 19 June 2026 shall not be taken on record.

6. The matter be listed for hearing on 02 July 2026.



Sd/-

(DR. SANJEEV RANJAN)
MEMBER

Sd/-

(C. VISWANATH)
MEMBER

Sd/-

(JUSTICE A.J. DESAI)
PRESIDING OFFICER