

NATIONAL LOK ADALAT

COMMERCIAL EXECUTION PETITION NO.

/20

ORDER BELOW EX. 1

In light of the Judgment of the Hon'ble Apex Court in case of **Trf Limited v. Energo Engineering Projects Limited** - (2017(8) SCC 377); **Perkins Eastman Architects Dpc v. Hsccl India Ltd.** (2019 SCC Online SC 1517); and **Bharat Broadband Network Limited v. United Telecoms Limited** (2019(5) SCC 755), which holds unilateral appointment of Arbitrator to be void, this Court had heard the batch of execution petitions at length. The matters are reserved for orders.

At this stage, Ld. Advocate for the DH prays to withdraw the present Execution Petition with a liberty to file fresh petition, subject to outcome of the issue pending before the Larger Bench of Hon'ble Apex Court in case of **Central Organisation For Railway Electrification vs. MS ECI SPIC SMO MCML (JV) A Joint Venture Company** – Civil Appeal No. 9486-9487/2019.

Considering the request made at this stage, the present Execution Petitions are hereby permitted to be withdrawn. Liberty to file fresh execution petition shall be subject to outcome of the issue pending before the larger bench of Hon'ble Apex Court in case of **Central Organisation For Railway Electrification vs. M/S ECI SPIC SMO MCML (JV) A Joint Venture Company** – Civil Appeal No. 9486-9487/2019, and as may be permissible under the law.

Upon filing of the Photocopy of the Award by the DH, original Award be returned to Ld. Advocate for DH.

In view of the above, present Execution Petition stands disposed of as Withdrawn.

ORDER SIGNED AND PRONOUNCED IN NATIONAL LOK ADALAT.

DATE: 9.9.2023
AHMEDABAD

VIVEK NARENDRA MAPARA
JUDGE, COMMERCIAL COURT
CITY CIVIL COURT, AHMEDABAD
UNIQUE ID CODE NO.01589