

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 (Civil) No(s).4502-4504/2013

(From the judgement and order dated 14/01/2013 in FAO No.611/2012,FAO No.612/2012,FAO No.615/2012 of The HIGH COURT OF DELHI AT N. DELHI)

BPL LTD.

Petitioner(s)

VERSUS

MORGAN SECURITIES &amp; CREDITS PVT. LTD.

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment and with prayer for interim relief )

Date: 08/02/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s)

Mr. Harish N. Salve, Sr. Adv.  
Mr. G. Umapathy, Adv. for  
Mr. Rakesh K. Sharma, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following  
O R D E R

Heard Mr. Harish N. Salve, learned senior counsel for the petitioner.

The High Court in the impugned order has clarified that the Arbitral Tribunal shall consider as to whether the claim of the respondent before the Arbitral Tribunal or any lesser amount is liable to be secured in an appropriate manner as also the manner of securing the said amount.

Mr. Harish Salve, learned senior counsel submits that despite that clarification, the Arbitral Tribunal, while dealing with the application for vacation of interim order may be influenced by the observations made by the learned Single Judge in the order dated December 4, 2012.

The apprehension of Mr. Harish Salve does not appear to be well founded in view of the clarification made by the Division Bench. We, however, make it clear that Arbitral Tribunal shall consider the application for vacation of interim order that may be made by the petitioner, independently and uninfluenced by any of the observations made by the Single Judge.

Special Leave Petition stands disposed of accordingly.

| (Pardeep Kumar)  
| Court Master| | (Renu Diwan)  
| | Court Master

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