

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).8390/2006

(From the judgement and order dated 27/10/2005 in FAO(OS) No. 310/2005 of
The HIGH COURT OF DELHI AT N. DELHI)

SANRACHNA (INDIA) INC.

Petitioner(s)

VERSUS

A.B.HOTELS LTD.

Respondent(s)

(With prayer for interim relief and office report)
(for final disposal)

Date: 30/11/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.K. SEMA

HON'BLE MR. JUSTICE V.S. SIRPURKAR

For Petitioner(s)

Mr. P.S. Patwalia, Sr.Adv.
Mr. B.B. Bhatia, Adv.
Mr. Ashwani Kumar, Adv.
Ms. Iti Sharma, Adv.

For Respondent(s)

Mr. Parag Tripathi, Sr.Adv.
Mr. Ejaz Maqbool, Adv.
Mr. S.K. Maniktala, Adv.
Ms. Taruna Singh, Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.

We have heard Mr. P.S. Patwalia and Mr. Parag Tripathi,
learned senior counsel on both the sides.

The appeal is disposed of in terms of the signed order.

(PAWAN KUMAR)
COURT MASTER

(ANAND SINGH)
COURT MASTER

(signed order is placed on the file)
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5587 OF 2007
(arising out of SLP(C)No.8390 of 2006)

SANRACHNA (INDIA) INC.

... PETITIONER

VERSUS

A.B. HOTELS LTD.
RESPONDENTS

...

ORDER

Leave granted.

We have heard Mr. P.S. Patwalia and Mr. Parag Tripathi,
learned senior counsel on both the sides.

This appeal is disposed of in terms of the following agreed
terms as suggested by both the parties :

- 1. That the mandate of Mr. P.R. Swaroop, Sole Arbitrator is terminated and in his place Mr. Justice A.B. Rohtagi (Retd. Judge of the Hon'ble High Court of Delhi) is appointed as the Sole Arbitrator to adjudicate upon the disputes between the parties.
- 2. Both the parties shall be at liberty to raise all their claims/counter claims before the Learned Sole Arbitrator.
- 3. The petitioner (Sanrachna) withdraws its S.L.P. No.8390 of 2006, presently pending before the Hon'ble Supreme Court.

:2:

- 4. The issues and contentions raised by the petitioner in its present petition before the Hon'ble Supreme Court shall remain open to be agitated by the petitioner before the Learned Sole Arbitrator.
- 5. The petitioner(Sanrachna) shall also withdraw its petition being O.M.P. No.330 of 2005, presently, pending before the Hon'ble High Court of Delhi.

The Arbitrator shall be entitled to fix his own terms and place of sittings. We further observe that the Arbitrator shall be free to take assistance of any technical person.

.....J.
(H.K. SEMA)

.....J.
(V.S. SIRPURKAR)

NEW DELHI,
NOVEMBER 30, 2007.