

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No.6527 of 2001@@  
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Bhatia International ...Appellant(s)

Vs.

Bulk Trading S.A. & Anr. ...Respondent(s)

(With office report)

Date : 11/12/2001 This petition(s)/appeal(s) was/were called  
on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAIAK  
HON'BLE MR. JUSTICE Y.K. SABHARWAL

For Appellant (s) Mr. Ashok Desai, Sr. Adv.  
Mr. Upendra Chokse, Adv.  
Mr. Sushil Kumar Jain, Adv.

For Respondent(s) Mr. C.A. Sundarsam, Sr. Adv.  
Mr. Fareshte D. Sethena, Adv.  
Mr. Tripurari Ray, Adv.  
Mr. Vishwajit Singh, Adv.

Ex-parte.

UPON hearing counsel, the Court passed the following  
O R D E R

.....L.....I.....J  
.SP2

In this appeal, the interpretation of Section 9 of the Arbitration and Conciliation Act, 1996 is involved and the question for consideration is whether, in case of an international arbitration where the situs of the arbitration proceedings is beyond India, the Courts in India will have jurisdiction to grant any interim direction. Apart from the importance of the question involved, since we are not in agreement with each other on the question, we think it ...2

appropriate to refer the matter to a three-Judge Bench. It was stated to us that a large number of cases are pending in different Courts. In that view of the matter, it would be meet and proper if the case is listed before a three-Judge Bench in the third week of January, 2002.

.SP1

(J.S. Rawat)  
Court Master

(Suneet Bala Sharma)  
Court Master