

ITEM NO.8

COURT NO.3

SECTION IX

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).8338/2011

(arising out of judgment dated 26/08/2010 in AA No. 52/2009 of the H.C. of Bombay))

ORIENTAL INSURANCE CO.LTD.

Petitioner(s)

VERSUS

BASANT F JAIN

Respondent(s)

(With prayer for interim relief and office report )

Date: 10/12/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE KURIAN JOSEPH

For Petitioner(s) Mr. Mohan Babu Agarwal, Adv.  
Mr. C. Siddharth, Adv.  
Mr. Debasis Misra, Adv.

For Respondent(s) Mr. Rohini Kumar, Adv.  
Mr. Arvind Gupta, Adv.  
Mr. Harish Pandey, Adv.

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

Heard Mr. Mohan Babu Agarwal, learned counsel for the petitioner.

In view of the statement made by the petitioner in paragraph 12 of the written statement in opposition to the Complaint No. 205 of 2007 before the District Forum that the respondent herein (applicant before the High Court) ought to have adopted arbitration proceedings, challenge to the impugned order by the petitioner is wholly misplaced, misconceived and abuse of process of the court.

Special Leave Petition is, accordingly, dismissed.

|(Pardeep Kumar)  
|AR-cum-PS

|(Renu Diwan)  
|Court Master

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