

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).5836/2011

(From the judgement and order dated 07/01/2011 in AP No.24/2010
of The HIGH COURT OF DELHI AT N. DELHI)

M/S BOHRA INDUSTRIES LTD.

Petitioner(s)

VERSUS

M/S INDIAN POTASH LIMITED

Respondent(s)

(With appln(s) for directions, permission to place addl. documents
on record and office report)

Date: 28/02/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ANIL R. DAVE
HON'BLE MR. JUSTICE VIKRAMAJIT SEN

For Petitioner(s) Mr. Pancham Surana, Adv.
Mr. Biju Mattam, Adv.
Ms. Indu Sharma, AOR

For Respondent(s) Mr. Vivek Singh, Adv.
Mr. Manish Kaushik, Adv.
Mr. Arvind Kumar Gupta, AOR

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

I.A. No.3 of 2012, has been filed in S.L.P.(C) No.5836 of 2011, for passing appropriate orders to confirm the appointment of Hon'ble Mr. Justice Mukul Mudgal, a former Chief Justice of Punjab & Haryana High Court, as the sole Arbitrator, to adjudicate all the claims and disputes arising out of different Memorandums of Understanding indicated in prayer (i) of the interlocutory application.

It appears that by an order dated 7th January, 2011, the Delhi High Court appointed the Hon'ble Judge to decide the dispute with regard to the Memorandum of Understanding dated 10th September, 2008.

Thereafter, an application was also made before the Rajasthan High Court, wherein on 8th August, 2012, an order was passed on consent of the parties, by which it was noted that the Delhi High Court had appointed Justice Mukul Mudgal, to adjudicate the dispute arising out of Memorandum of Understanding dated 10th September, 2008.

The Rajasthan High Court thereupon appointed Justice Mukul Mudgal to also decide the disputes with regard to other Memorandums of Understanding dated 15.03.2001, 15.03.2002, 12.03.2003, 29.03.2004, 05.05.2005, 30.03.2006, 24.03.2007 and 10.09.2008. The

same is the subject matter of challenge in S.L.P.(C) No.5836 of 2011.

Now that the parties have agreed to the appointment of Justice Mukul Mudgal, to decide all the disputes arising out of all the Memorandums of Understanding, nothing further remains to be decided in the present petition and the same is, accordingly, disposed of in terms of the orders of the Rajasthan High Court and the Delhi High Court.

| (Chetan Kumar)
| Court Master

| | (Juginder Kaur)
| | Assistant Registrar

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