

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7025 OF 2011

SILPI REALTORS AND CONTRACTORS APPELLANT
PRIVATE LIMITED

VERSUS

M/S ENGINEERING PROJECTS (INDIA) RESPONDENTS
LIMITED AND OTHERS

O R D E R

Having heard the learned counsel for the appellant, we are of the opinion that the impugned judgment does not require any interference as the question of whether there was a concluded contract etc. in the factual background and being a disputed and contentious question should be raised and decided by resorting to arbitration. To hold so, we have followed the ratio of the judgment in the case of *Vidya Drolia and Others Vs Durga Trading Corporation, (2021) 2 SCC 1*.

We clarify that the impugned judgment and the present order would not be treated as expressing any opinion on the respective pleas and contentions raised by the appellant and the respondents.

With the consent of the learned counsel for the parties, we refer the matter to the Arbitration Centre attached to the High Court of Kerala, who would appoint an arbitrator. The arbitration will be held as per the rules and regulations of the Arbitration Centre attached to the High Court of Kerala.

Parties are directed to appear before the Coordinator of the said center on 14.03.2023, which would be the date on which the time limit specified in Section 29A of the Arbitration and Conciliation Act, 1996, would deem to commence.

Recording the aforesaid, the appeal is dismissed.

Pending application(s), if any, stand disposed of.

.....J.
(SANJIV KHANNA)

.....J.
(M.M. SUNDRESH)

NEW DELHI;
JANUARY 19, 2023.
ps

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(S). 7025/2011

SILPI REALTORS AND CONTRACTORS PRIVATE LIMITED

APPELLANT(S)

VERSUS

M/S ENGINEERING PROJECTS (INDIA) LIMITED AND OTHERS

RESPONDENT(S)

Date : 19-01-2023 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Appellant(s)

Ms. B. Vijayalakshmi Menon, AOR
Ms. Suman Yadav, Adv.
Mr. Anuj Shah, Adv.
Mr. Avinash K. Singh, Adv.

For Respondent(s)

Ms. C. K. Sucharita, AOR

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

The appeal is dismissed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(POOJA SHARMA)
COURT MASTER (SH)

(R.S. NARAYANAN)
COURT MASTER (NSH)

(Signed order is placed on the file.)