

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

Petition for Special Leave to Appeal (Civil) No.10042/2013
(From the judgment and order dated 10/01/2013 in AP No.945/2012 of The
HIGH COURT OF CALCUTTA)

JINDAL PIPES LTD
VERSUS
MAHANADI COALFIELDS LTD. AND ANR
(With appln(s) for exemption from filing c/c of the impugned Judgment and
with prayer for interim relief)

Petitioner(s)
Respondent(s)

Date: 15/03/2013 This Petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR
HON'BLE MR JUSTICE PINAKI CHANDRA GHOSE

For Petitioner(s) Mr. K.V. Vishwanathan, Sr. Adv.
Mr. Ajay Bhargava, Adv.
Ms. Vanita Bhargava, Adv.
Mr. A. Gaurav Bahl, Adv.
Mr. Nitin Mishra, Adv.
for M/s Khaitan & Co.

For Respondent(s) Mr. Anip Sachthey, Adv.
Mr. Mohit Paul, Adv.
Ms. Shagun Matta, Adv.
Mr. Saakaar Sardana, Adv.

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

Mr. K.V. Vishwanathan, learned Senior Counsel appearing for
the petitioner, states that in spite of what is recorded on page
6 of the impugned judgment, the petitioner could not have been
non-suited. The High Court has given the aforesaid finding
without noticing that the petitioner had actually made a prayer
for appointment of an arbitrator in accordance with the
arbitration clause.

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Issue notice, returnable within two weeks.

Mr. Anip Sachthey, learned counsel, accepts notice on
behalf of the respondents and seeks time to file counter
affidavit. Let the needful be done within two weeks.

|(VINOD LAKHINA)
|COURT MASTER

|(INDU BALA KAPUR)
|COURT MASTER

