

ITEM NO.1

COURT NO.7

SECTION XVIA

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

I.A.No(s).10-18 & 19-27in

TRANSFER PETITION (CIVIL.) NO(s). 349-357 OF 2013

M/S SREE DHANALAKSHMI SPINNING MILLS

Petitioner(s)

VERSUS

M/S COTTON CORP. OF INDIA LTD. & ORS.

Respondent(s)

(With appln(s) for directions,modification and office report)

I.A.No(s).6-10 in T.P.(C) NO(s).359-363 OF 2013

(With appln(s) for direction and office report)

I.A.No(s).2 in T.P.(C) NO(s).399 OF 2013

(With appln(s) for direction and office report)

I.A.No(s).7-12 & 13-18 in T.P.(C) NO(s).401-406 OF 2013

(With appln(s) for direction, modification and office report)

I.A.No(s).3-4 & 5-6 in T.P.(C) NO(s).408-409 OF 2013

(With appln(s) for direction, modification and office report)

I.A.No(s). 3-4 & 5-6 in T.P.(C) NO(s).420-421 OF 2013

(With appln(s) for direction, modification and office report)

I.A.No(s). 3-4 & 5-6 in T.P.(C) NO(s).439-440 OF 2013

(With appln(s) for direction, modification and office report)

I.A.No(s).8-14 & 15-21 in T.P.(C) NO(s).441-447 OF 2013

(With appln(s) for direction, modification and office report)

I.A.No(s).3-4 in T.P.(C) NO(s).449-450 OF 2013

(With appln(s) for direction and office report)

I.A.No(s).11-20 in T.P.(C) NO(s).454-463 OF 2013

(With appln(s) for direction and office report)

I.A.No(s).3-4 & 5-6 in T.P.(C) NO(s).464-465 OF 2013

(With appln(s) for direction, modification and office report)

I.A.No(s). 3-4 & 5-6 in T.P.(C) NO(s).466-467 OF 2013

(With appln(s) for direction, modification and office report)

I.A.No(s).6-10 in T.P.(C) NO(s).468-472 OF 2013

(With appln(s) for direction and office report)

I.A.No(s). 3-4 & 5-6 in T.P.(C) NO(s).474-475 OF 2013

(With appln(s) for direction, modification and office report)

I.A.No(s).2 & 3 in T.P.(C) NO(s).479 OF 2013

(With appln(s) for direction, modification and office report)

I.A.No(s).6-10 in T.P.(C) NO(s).782-786 OF 2013

(With appln(s) for direction and office report)

I.A.No(s).12-22 in T.P.(C) NO(s).822-832 OF 2013
(With appln(s) for direction and office report)

I.A.No(s).5-8 in T.P.(C) NO(s).843-846 OF 2013
(With appln(s) for direction and office report)

I.A.No(s).3-4 in T.P.(C) NO(s).848-849 OF 2013
(With appln(s) for direction and office report)

Date: 16/08/2013 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR
HON'BLE MR. JUSTICE VIKRAMAJIT SEN

For Petitioner(s) Mr. K.V.Viswanathan,Sr.Adv.
Mr. V. Giri,Sr.Adv.
Mr. Anil Kaushik,Adv.
Mr. K.B. Pradeep,Adv.
Mr. Deepak Jain,Adv.
Mr. Tanmaya Mehta,Adv.
Mr. K.C. Dua,Adv.
Mr. K.B. Pradeep,Adv.
Mr. Anil Kaushik,Adv.
Ms. Arunima Dwivedi,Adv.
Mr. G.S. Chauhan,Adv.

For Respondent(s) Mr. Maninder Singh,Sr.Adv.
(Applicant) Mr. M.S. Krishnan,Sr.Adv.
Ms. P.T. Asha,Adv.
Mr. Balaji Srinivasan,Adv.
Mr. Mayank K.,Adv.

Mr. S.N. Terdal,Adv.
Mr. S.K. Bajwa,Adv.
Ms. Priyanka Terdal,Adv.

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

Heard.

These applications have been filed by the respondents-M/s. Cotton Corporation of India Ltd. praying for modification of order passed dated 22nd March, 2013 passed in these transfer petitions whereby proceedings before the arbitrators have been stayed pending further orders from this Court.

Mr. Maninder Singh, learned senior counsel appearing for the respondents-M/s. Cotton Corporation of India Ltd., has drawn our attention to order dated 9th May, 2013 passed in T.P.(C) Nos.782-786 of 2013 to argue that this Court has in similar circumstances modified similar orders passed earlier and allowed the arbitration proceedings before the arbitrators to continue, subject to the conditions that no final award shall be passed in the same without the leave of this Court. He urged that the controversy in all these cases identical, there is no reason why a similar modification should not be made in cases where there is an absolute stay against the continuance of arbitration proceedings.

We find merit in that contention. We accordingly modify our order dated 22nd March, 2013 and direct that the arbitration proceedings pending before the learned arbitrators may continue but no final award in the same shall be passed without the leave of this Court.

Post SLP (C) No (s).24476-24483 of 2012, SLP(C)No(s).5029-5036 of 2013 and SLP(C)...CC..No(s).11818-11822 of 2013 on 23rd September, 2013 for final hearing. Pleadings shall be completed by learned counsel for the respective parties in the meantime, if not already completed.

The transfer petitions shall also be listed for further orders along with the above-mentioned special leave petitions.

|(Mahabir Singh)
| Court Master

| (Veena Khera) |
| Court Master |