

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). 3347 OF 2007

HINDUSTAN ZINC LTD.

Appellant (s)

VERSUS

BHAGWAN DAS MOHTA

Respondent(s)

Date: 15/04/2010 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU  
HON'BLE MR. JUSTICE A.K. PATNAIK

For Appellant(s)

Ms. Vibha Datta Makhija, Adv.  
Mr. Sidharth Sethi, Adv.

For Respondent(s)

Not represented till date.

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

The Appeal is allowed in terms of the signed order.  
No costs.

(Parveen Kr. Chawla)  
Court Master

( Indu Satija )  
Court Master

[signed order is placed on the file]  
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3347 OF 2007

Hindustan Zinc Limited

..Appellant

versus

Bhagwan Das Mohta

..Respondent

O R D E R

Heard learned counsel for the appellant.

Respondent is not represented, though served.

This Appeal has been filed against the impugned  
judgment of the Rajasthan High Court dated 04th January,  
2006.

Learned counsel for the appellant has invited our

attention to the letter of discharge dated 12th February, 1997 issued by the contractor (respondent herein), by which he has accepted certain amount in full and final settlement of his bills and all his claims. As per clause 78 of the agreement, when the letter of discharge is issued by the contractor, all his claims are settled and the arbitration agreement comes to an end.

Accordingly, this appeal is allowed. The impugned judgment of the High Court is set aside. No costs.

.....J.  
[MARKANDEY KATJU]

NEW DELHI; .....J.  
APRIL 15, 2010 [A.K. PATNAIK]