

respondent no.1 on the ground that reference to arbitration was restricted to claim no.1.

The arbitrator had clearly erred in not examining all the claims raised by respondent no.1 in view of the terms and conditions of the arbitration clause/agreement. It is not the case of the appellant that any of the claims fell in the category of excepted matters.

In view of the said finding, the Division Bench of the High Court was also right in setting aside the award of the arbitrator allowing the counter-claims raised by the appellant as they were connected and linked with the claims raised by respondent no.1.

Recording the aforesaid, we dismiss the present appeal with no orders as to cost.

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

.....J.
(SANJIV KHANNA)

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

NEW DELHI;
JANUARY 18, 2023.
ps

ITEM NO.101

COURT NO.7

SECTION XII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL NO(S). 5396/2010

CENTRAL WAREHOUSING CORPORATION

APPELLANT(S)

VERSUS

M/S A.S.A. TRANSPORT AND ANOTHER

RESPONDENT(S)

Date : 18-01-2023 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) Mr. K.K. Tyagi, Adv.
Ms. Garima Tyagi, Adv.
Mr. Iftekhar Ahmad, Adv.
Mr. P. Narasimhan, AOR

For Respondent(s)

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.)