

**SECTION XII**

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

**INTERLOCUTORY APPLICATION NO. 9**

(Application for setting aside the Arbitral Award)

IN

**CIVIL APPEAL No. 7864 of 1996**

M/s. Rohtak and Hissar District Elect.  
Co. Ltd.

...Appellant

Versus

The U.P. Power Corporation Ltd.

...Respondent

**OFFICE REPORT**

The Interlocutory Application above mentioned was listed before the Hon'ble Court on 8<sup>th</sup> October, 2014, when the Court was pleased to pass the following order:-

**"I.A. No.9/2014:**

**Issue notice.**

**Learned counsel accepts notice on behalf of the respondent and seeks sometime to file reply, which may be filed within four weeks.**

**Rejoinder affidavit to be filed within two weeks, thereafter.**

**The matter be listed after the pleadings are complete."**

Thereafter the matter above mentioned was lastly listed before the Ld. Registrar's Court on 24<sup>th</sup> July, 2015 when the following order was passed:-

**"Counter affidavit has not been filed by the respondent despite the last opportunity. Further opportunity is hereby declined.**

**Though the Hon'ble Court vide order dt.8.10.2014 had directed to list the matter after pleadings are complete, but in the given circumstances, pleadings are deemed to be complete.**

**Registry to process the matter for being listed before the Hon'ble Court as per rules."**

...2/-

It is submitted that no counter/rejoinder affidavit has been filed in Interlocutory Application no.9 so far.

It is further submitted that the Award contained in a Sealed Cover along with the record has been received by post from Ld. Arbitrator (Hon'ble Mr. Justice Umaeshwar Pandey-Retd.) and the same is available for reference of the Hon'ble Court.

Service of notice is complete.

The Application in the matter above mentioned is listed before the Hon'ble Court with this office report.

Dated this the 2<sup>nd</sup> day of December, 2015.

ASSISTANT REGISTRAR

Copy to : Mr. Nikhil Goel, Advocate.  
Mr. Pradeep Misra, Advocate.

ASSISTANT REGISTRAR

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