

S U P R E M E

C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).11893/2010

(From the judgement and order dated 15/12/2009 in  
of The HIGH COURT OF DELHI AT N. DELHI)

AP No. 208/2009

INDIAN OIL CORP.LTD.

Petitioner(s)

VERSUS

M/S STUP CONSULTANTS P.LTD.

Respondent(s)

(With prayer for interim relief and office report )

Date: 20/08/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM  
HON'BLE MR. JUSTICE R.M. LODHA

For Petitioner(s) Mr. Gopal Subramaniam, S.G.  
Mr. V.N. Koura, Adv.  
Ms. Mona Aneja, Adv.  
Ms. Aruna Mathur, Adv.  
Mr. Amarjeet Singh Girsa, Adv.  
M/S Arputham, Aruna & Co., Adv.

For Respondent(s) Mr. D. Roychoudhury, Sr. adv.  
Mr. P. Roychaudhuri, Adv.  
For Mr. Rohit Kumar Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

On hearing Mr. Gopal Subramaniam, learned Solicitor General appearing for the petitioner and Mr. D. Roychoudhury, learned senior counsel appearing on behalf of the respondent, this special leave petition is disposed of with the clarification that no observation, comment or finding recorded in the order of the High Court shall stand in the way of the petitioner in raising before the arbitrator any contentions available to them in law, including that the dispute raised by the respondent was not arbitrable under the terms of the agreement.

It will be equally open to the respondent to raise all contentions before the arbitrator.

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We further make it clear that the cost awarded by the High Court shall abide by the final award made by the arbitrator.

(Neetu Khajuria)  
Sr. P.A.

(S.S.R. Krishna)  
Court Master