

8ITEM NO.115

COURT NO.2

SECTION XVI

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). 7763 OF 2002

M/S. KAINTH BROTHERS

Appellant (s)

VERSUS

UNION OF INDIA

Respondent(s)

(With office report)

Date: 08/06/2011 This Appeal was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN
HON'BLE MR. JUSTICE SWATANTER KUMAR
[VACATION BENCH]

For Appellant(s) Mr. Ashwani Kumar, Adv.for
Mr. H.K. Puri,Adv.

For Respondent(s) Mr. R.K.Rathore, Adv.
Mr. Nawal Kishore Jha, Adv.for
Mrs Anil Katiyar,Adv.

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

The Appeal is dismissed with no order as to 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. 7763 OF 2002

M/s Kainth Brothers

..Appellant

Versus

Union of India

..Respondent

O R D E R

The present appeal is directed against the judgment
of the Calcutta High Court dated 03rd April, 2001.

By the

impugned judgment the High Court has set aside the order
passed by the learned Single Judge and remitted the matter
for hearing the application under Sections 30 and 33 of the

Arbitration Act, 1940 in accordance with law expeditiously.

There was no stay given by this Court of the impugned judgment.

We see no reason to interfere with the directions issued by the Division Bench of the High Court and we hope that the proceedings by now must have concluded and if not the same should be concluded in accordance with law expeditiously before the learned Single Judge.

Learned counsel appearing for the appellants submits that even the partner through whom the appellant-company is represented has died in the meanwhile. Liberty to take steps in accordance with law before the learned Single Judge.

The Appeal is dismissed with no order as to costs.

.....J.
[DR. B.S.CHAUHAN]

NEW DELHI;J.
JUNE 08, 2011 [SWATANTER KUMAR]