

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.13484/2001
(From the judgement and order dated 07/05/2001 in GA 300/2000
of The HIGH COURT OF CALCUTTA)

XING PENG MARITIME INCORPRATION & ANR. Petitioner (s)

VERSUS

R. PIYARELAL INTERNATIONAL LTD. & ANR. Respondent (s)
(With prayer for interim relief)

Date : 24/08/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAIAK
HON'BLE MRS. JUSTICE RUMA PAL

For Petitioner (s) M/s.G.K.Banerji,C.R.Addy,P.Addy and
Mr. Ghanshyam Joshi,Advs.

For Respondent (s) Mr. Sudito Sarkar,Sr.Adv.
Mr.P.Khaitan,Ms.G.Rasgotra &
Mr. Suman Jyoti Khaitan,Advs.

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

.....L.....I.....T.....T.....T.....T.....T.....J.
.SP2

The respondents are here in caveat. Mr. Banerji
appearing for the petitioners and Mr. Sarkar appearing for
the respondents say that the matter has been settled on the
following terms:

.....L.....T.....T.....T.....T.....T.....J.....
.SP2

"The parties will nominate their respective
Arbitrators afresh within a period of four
weeks from date. The parties may also agree
to the change of Venue of arbitration. In the
absence of any such agreement on the change of
venue the original venue shall remain. The
two nominated Arbitrators will appoint the
third Arbitrator. Parties will also be at
liberty to use the pleadings already filed if
they are so advised in the Arbitration
proceedings."

.....L.....I.....T.....T.....T.....T.....T.....J.
.SP2

The impugned order of appointment therefore is
substituted by the aforesaid order, which is agreed to by the
learned counsel for the parties.

The Special Leave Petition is disposed of
accordingly.

.SP1

(Y.P.Dhamija)

(Suneet Bala Sharma)@@

AA

Court Master

Court Master@@

AA