

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7356 OF 2013
(arising out of S.L.P. (Civil) No.15307/2012)

NASREEN AZAM KHAN & ORS. Appellant (s)
VERSUS

Y.T. ENTERTAINMENT LTD. Respondent(s)

O R D E R

Leave granted.

2. Mr. Jay Savla, learned counsel for the appellants, submits that the application made by the respondent under Section 11 of the Arbitration and Conciliation Act, 1996 (for short, '1996 Act') has been dismissed by the order dated 11.11.2011 passed by the High Court of Bombay. He further submits that special leave petition being Special Leave Petition (Civil) No. 8428 of 2012 titled "YT Entertainment Limited Vs. Nasreen Azam Khan & Anr." from that order was filed by the present respondent but that was dismissed by this Court on 04.04.2012.

3. Having regard to the above, we are satisfied that the order under Section 9 of the 1996 Act passed by the single Judge and affirmed by the Division Bench on 15.02.2012 cannot be sustained. The impugned order is set aside.

4. Learned counsel for the respondent submits that in pursuance of the liberty granted in the order dated 04.04.2012 passed in Special Leave Petition (Civil) No. 8428 of 2012, the respondent has filed a suit before the Bombay High Court and it has also taken out notice of motion for interim relief which may come up within three weeks.

5. In view of the above, the order passed under Section 9 of the 1996 Act shall continue to remain operative for three weeks from today. We make it clear that Section 9 order shall come to an end automatically after three weeks from today. This will, however, not affect the notice of motion taken out by the respondent which shall be considered by the High Court appropriately in accordance with law.

6. Appeal is disposed of with no order as to costs.

.....J.
(R.M. LODHA)

NEW DELHI;J.
SEPTEMBER 2, 2013. (MADAN B. LOKUR)

ITEM NO.7 COURT NO.3 SECTION IX

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).15307/2012

(From the judgement and order dated 15/02/2012 in AN No.444/2011 in AP No.778/2010 of The HIGH COURT OF BOMBAY)

NASREEN AZAM KHAN & ORS.

Petitioner(s)

VERSUS

Y.T. ENTERTAINMENT LTD.

Respondent(s)

(With prayer for interim relief and office report)

Date: 02/09/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE MADAN B. LOKUR

For Petitioner(s) Mr. Jay Savla,Adv.

For Respondent(s) Mr. Vikas Mehta,Adv.
Mr. Anshuman Srivastava, Adv.

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

Leave granted.

Appeal is disposed of in terms of the signed order.

|(Rajesh Dham)
|Court Master

| |(Renu Diwan)
| |Court Master

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(signed order is placed on the file)