

ITEM NO.403

COURT NO.9

SECTION XVIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

ARBITRATION PETITION NO. 23 OF 2013

ASSAM COMPANY INDIA LTD.

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

Date: 04/10/2013

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Petitioner(s)

Mr. J. P. Cama, Sr. Adv.
Mr. Abhimanyu Bhandari, Adv.
Mr. Aayush Aggarwal, Adv.
Ms. Aanchal Mullick, Adv.
Ms. Adwaita Sharma, Adv.
Ms. Saman Ahsan, Adv.
Mr. Sanjeev K. Kapoor, Adv.
M/S. Khaitan & Co.,Adv.

For Respondent(s)

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

The Arbitration Petition is disposed of in terms of the signed order.

Let this order be communicated to the learned Arbitrators.

|(Nidhi Ahuja)
|Court Master

|(Indu Bala Kapur)
|Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

ARBITRATION PETITION NO. 23 OF 2013

ASSAM COMPANY INDIA LTD.

... Petitioner

VERSUS

UNION OF INDIA

... Respondent

O R D E R

In terms of the arbitration clause, after complying with the procedure, the petitioner has nominated Hon'ble Mr. Justice B. P. Singh, former Judge of this Court as Arbitrator. However, since there was no response from the respondents, the petitioner was constrained to move the present petition for appointment of the second Arbitrator.

Arbitration clause stipulates that the disputes arising between the parties shall be referred to the Arbitral Tribunal which shall consists of three Arbitrators. Each party to the dispute shall appoint one Arbitrator. The two Arbitrators appointed by the parties shall appoint the third Arbitrator. Since the respondents have failed to appear in the matter in spite of service and no second Arbitrator has been nominated by them, this Court is left with no option but to appoint the second Arbitrator. I hereby appoint Hon'ble Mr. Justice H. S. Bedi, former Judge of this Court, as the second Arbitrator.

The Arbitration Petition is disposed of accordingly.

Let this order be communicated to the learned Arbitrators.

....., J.

[SURINDER SINGH NIJJAR]

New Delhi,

Dated : 04th October, 2013.