

H
C.A.No. 5044 OF 1999

ITEM No. 117

Court No. 1

SECTION IX

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. 5044 of 1999

Nimbus Communications Ltd.

Appellant (s)

VERSUS

Sippy Films Pvt. Ltd.

Respondent (s)

With

C.A. No. 5045 of 1999

Date : 31-03-2004 These appeals were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE MR. JUSTICE S.H. KAPADIA

For Appellant (s)Mr. S. Muralidhar, Adv.

For Respondent (s)Mr. U.U. Lalit, Adv.
Mr. Vijay Kumar, Adv.
Mr. Satyajit Saha, Adv.
for Ms. V.D. Khanna, Adv.

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

The appeals are dismissed.

[Alka Dudeja] [Janki Bhatia]
Court Master Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5044 OF 1999

Nimbus Communications Ltd. Appellant (s)

VERSUS

Sippy Films Pvt. Ltd. Respondent (s)

With

Civil Appeal No. 5045 of 1999

O R D E R

In view of the decision of this Court in Konkan Railway Corporation Ltd. and Anr. Vs. Rani Construction Pvt. Ltd., reported in 2002 (2) SCC 388, these appeals are not maintainable. They are, accordingly, dismissed. However, it is open to the appellants to challenge the order refusing to appoint an Arbitrator, if permissible under law.

.....CJI.

.....J.
(S.B. Sinha)

.....J.
(S.H. Kapadia)

New Delhi,
March 31, 2004.