

Chamber Matter

Section XVIA

IN THE SUPREME COURT OF INDIA

IN THE CHAMBERS OF HON'BLE MR. JUSTICE ASHOK BHAN.

ARBITRATION PETITION NO. 26 OF 2005

Major Metals Ltd.

... Petitioner(s)

Versus

Ampex Chemicals, S.A., DE C.V.

... Respondent(s)

(With office report)

For Petitioner (s)

Ms. Niranjana Singh, Adv.

For Respondent (s)

O R D E R

Perused the office report which states that the notice issued to the

Respondent/Non-applicant through Registered A.D. Post has been received back

with illegible remarks.

However, dasti service taken by the counsel for the applicant was sent

by her through E-mail which, presumably, may have been served on the respondent. According to her, the service of notice through E-mail is also

recognizable in law under Section 4 of The Information Technology Act, 2000.

Affidavit of dasti service has not been filed. She states that she would file the

same within a week.

Since the respondent-company is located in Mexico, to rule out any

possibility, at a later stage, of service through E-mail being not proper, I deem it

2

appropriate to direct that the respondent be served through publication in an

English daily having wide circulation at Santa Ana # 577, Col. Resid Nueva,

California Escobedo, N.L. Mexico 66055. In addition, counsel for the applicant

may serve the respondent through DHL, a courier service.

To come up after six weeks in Chambers at 1.45 p.m.

.J.

New Delhi;
February 15, 2006

.....
(ASHOK BHAN)