

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).25146/2013

(From the judgement and order dated 18/04/2013 in AA No.131/2012 of The
HIGH COURT OF BOMBAY)

INDIAN EXCHANGE OF METAL LTD.

Petitioner(s)

VERSUS

NATIONAL COMMODITY & DERIVATIVES EX. LTD

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment and
prayer for interim relief and office report)

Date: 10/09/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR
HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s)

Mr. Vivek Singh, Adv.
Mr. Shakeel S. Wani, Adv.
Mr. Tanvir Ahmed Mir, Adv.
Mr. Arvind Kumar Gupta, Adv.

For Respondent(s)

Dr. Rajeev Dhawan, Sr. Adv.
Mr. Jayesh Kanaksinh Ashar, Adv.
Mr. Dilip Annasaheb Tour, Adv.

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

The special leave petition is dismissed.

Needless to say that the observations made by the High Court
with regard to any particular matter falling within the accepted
matters clause are only prima facie and made only for the purpose of
disposal of the petition under Section 11(6) of the Arbitration and
Conciliation Act, 1996. The Arbitrator shall be at

liberty to take an independent decision of the pleas raised by the
petitioner uninfluenced by the observations made. The parties are at
liberty to approach the Arbitrator for nomination of the replacement
Arbitrator.

(Sukhbir Paul Kaur)
Court Master

(Indu Bala Kapur)
Court Master