

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal(Civil).....CC 8126/2000

(From the judgement and order dated 26/09/2000 in CA 3/2000
of The HIGH COURT OF DELHI AT N. DELHI)

M/S. SUNAIR HOTELS LTD. & ORS. Petitioner (s)

VERSUS

M/S. VLS FINANCE LTD. & ANR. Respondent (s)

(With Appln(s). for permission to file SLP)
(With Office Report)

Date : 11/12/2000 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAIAK
HON'BLE MR. JUSTICE U.C. BANERJEE

For Petitioner (s) Mr. A.K. Ganguli, Sr. Adv.
Mr. Annam D.N. Rao,Adv.

For Respondent (s) Mr. Kapil Sibal, Sr. Adv.
Mr. Dushyant Dave, Sr. Adv.
Ms. Bina Gupta,Adv.
Mrs. Rakhi Ray, Ms. Vanita Bhargava, Advvs.

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

.....L.....I.....J
.SP2

Permission to file S.L.P. granted.

Though the High Court has not given the reasons for dismissal of the revision, but on the admitted position that to the petition filed under Section 397 and 398 of the Companies Act, a detailed reply had been filed by the petitioners on 23rd of September, 1998 and thereafter an application was filed only in February, 1999 invoking the power of the Authority under Section 8 of the Arbitration & ...2

(2)

Conciliation Act, 1996, the Authority was fully justified in not entertaining that application in view of the fact that earlier statement on merits was filed on 23rd of September, 1998. The High Court, therefore, was justified in not interfering with revision against the said order. We see no merits in this matter. The S.L.P. is accordingly dismissed.

.SP1

(J.S. Rawat)
Court Master

(Suneet Bala Sharma)
Court Master