êITEM NO.19 COURT NO.3 SECTION IVA

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).19678/2011

(From the judgement and order dated 10/03/2011 in CMP No. 94/2006
of The HIGH COURT OF KARNTAKA AT BANGALORE)

M/S. SRINIVASA MINERALS & TRADERS LT&ORS Petitioner(s)

VERSUS

M/S. DISHA IMPLEX PVT.LTD.& ANR. Respondent(s)

(With prayer for interim relief)

Date: 05/08/2011 This Petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Mr. Sheshagiri Rao Adv.
Mr. Joseph Pookkatt, Adv.
Mr Prashant Kumar, Adv.
Mr. B.S. Iyengar, Adv.
for M/s. Ap & J Chambers,Adv.

For Respondent(s) Mr. P. Vishwanatha Shetty, Sr. Adv.
Dr. Sushil Balwada,Adv.

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

We find no ground to interfere under Article 136 of the Constitution of India. Special leave petition is dismissed.

Learned counsel for the petitioner voices an apprehension that as the High Court has held that the parties have signed the agreement dated 23.10.2005, the petitioners may face difficulties before the Arbitrator in urging other contentions regarding the validity of the said agreement.

.....2.

We find that the delegate of learned the Chief Justice has recorded a finding regarding the execution of the agreement dated 23.10.2005 for the limited purpose of appointment of Arbitrator. That will not come in the way of the petitioners urging any other objections (other than execution of the agreement) relating to the validity of the said agreement dated 23.10.2005 before the Arbitrator.

(Ravi P. Verma)
AR-cum-PS

(M.S. Negi)
Court Master