

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).23269/2008

(From the judgement and order dated 28/04/2008 in AN No. 519/2002 of The
HIGH COURT OF BOMBAY)

NOY VALLESINA ENGNR.SPA

Petitioner(s)

VERSUS

JINDAL DRUGS LTD. & ORS.

Respondent(s)

(With prayer for interim relief)

Date: 29/09/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Petitioner(s) Mr. R.F. Nariman, Sr.Adv.
Mr. L.K. Bhushan, Sr.Adv.
Ms. Swaty Malik, Adv.
for M/S. Dua Associates,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

Learned counsel for the petitioner submits that the validity of the
award has already been examined under Section 48 of the Arbitration and
Conciliation Act, 1996 and if it were to be again examined under Section
34 of the Act it will lead to an incongruous situation. He submits that at
least on this ground this case is different from Bhatia International vs.
Bulk Trading S.A. & Anr., {(2002) 4 SCC 105}.

Issue notice.

Dasti service in addition is permitted.

(PAWAN KUMAR)
COURT MASTER

(ANAND SINGH)
COURT MASTER