

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).21242/2011

(From the judgement and order dated 05/07/2011 in AL No.88/2011 of The HIGH COURT OF BOMBAY)

ASHAPURA MINIECHEM LTD.

Petitioner(s)

VERSUS

PACIFIC BASIN IHX (UK) LTD.

Respondent(s)

(With prayer for interim relief and office report)
[for final disposal]

Date: 06/03/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE J. CHELAMESWAR
HON'BLE MR. JUSTICE MADAN B. LOKUR

For Petitioner(s) Mr. Dushyanat Dave, Sr. Adv.
Mr. Mayur Bhat, Adv.
Mr. Gaurav Goel, Adv. for
Mr. E.C. Agrawala, Adv.

For Respondent(s) Mr. Sunip Sen, Adv.
Mr. Vishal Seth, Adv.
Ms. Viloma Shah, Adv. for
M/S. Parekh & Co.

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

After hearing Mr. Dushyant Dave, learned senior counsel for the petitioner and Mr. Sunip Sen, learned counsel for the respondent and having regard to the observations made in paragraphs 44 and 45 of the impugned order, we are of the view that before this Special Leave Petition is taken up for further hearing, it will be in the interest of justice, if the question of jurisdiction in respect of the application being Civil Miscellaneous Application No. 111 of 2009 - Ashapura Minechem Ltd. vs. IHX (UK) Ltd and another made by the petitioner under Section 34 of the Arbitration & Conciliation Act, 1996 (1996 Act) before the District Judge, Jamkhambhalia, District Jamnagar is decided.

2. Mr Sunip Sen, learned counsel for the respondent submits that without prejudice to the respondent's contentions, the respondent will appear before that Court and file written objections to the application made by the petitioner under Section 34 of the 1996 Act for setting-aside the award dated July 8, 2009.

3. We observe that in case the objections are filed by the respondent before the District Judge, Jamkhambhalia, District Jamnagar within two weeks, the said court shall decide the objections pertaining to the jurisdiction as expeditiously as may be possible and positively within three months of the filing of the objections by the respondent.

4. List the matter for further hearing on July 30, 2013.

| (Pardeep Kumar)
| Court Master

| | (Renu Diwan)
| | Court Master

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