

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) No(s).20930/2007

(From the judgement and order dated 19/09/2007 in
of The HIGH COURT OF GUJARAT AT AHMEDABAD)

SCA No. 24158/2007

M/S PATEL EXPERTS & ANR.

Petitioner(s)

VERSUS

M/S RATILAL GOKALDAS & ANR.

Respondent(s)

(With prayer for interim relief and office report) (For Final Disposal)

Date: 06/11/2009

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Rakesh Dwivedi, Sr. Adv.
Mr. Nachiketa Joshi, Adv.
Mr. Mosein Syed, Adv.
Mr. Shantanu Krishna, Adv.
Ms. Minakshi Vij, Adv.

For Respondent(s) Mr. Shyam Diwan, Sr. Adv.
Mr. Pratap Venugopal, Adv.
Ms. Deepti, Adv.
Mr. Purshottam Jha, Adv.
for M/S. K.J. John & Co., Adv.

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

Heard learned counsel for the parties.

Leave granted.

The appeal stands disposed of in terms of the
signed order. No order as to the costs.

(Ajay Kr. Jain)
Court Master

(Indu Satija)
Court Master

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7441 OF 2009
(Arising out of SLP(C) No.20930 of 2007)

Patel Experts & Anr. Appellants

Versus

Ratilal Gokaldas & Anr. Respondents

O R D E R

Heard learned counsel for the parties.

Leave granted.

This appeal has been filed against the judgment and order dated 19.09.2007 passed by the High Court of Gujarat at Ahmedabad.

The entire dispute arises out of execution of award under the Arbitration & Conciliation Act, 1996.

It is not in dispute that the award of the arbitrator has become final. The only dispute is about the jurisdiction of the Court to which the award was initially filed for execution. It is common ground that the award is now before the Principal District Court which has jurisdiction in the matter.

In that view of the matter, we permit the Principal District Judge, before whom the execution is now pending, to proceed with the execution proceedings de novo from the date of this order. All parties, if advised, are at liberty to raise objections in the execution proceedings. The Principal District Judge shall proceed with the execution proceedings and decide the same expeditiously.

We make it clear that we have not expressed any opinion on merits of the matter.

The appeal stands disposed of in the above terms. No order as to the costs.

.....J.
(MARKANDEY KATJU)

.....J.
(ASOK KUMAR GANGULY)

NEW DELHI;
NOVEMBER 06, 2009