

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S).3289 OF 2018
(Arising out of SLP (C) No(s). 7431 OF 2018)

SUPERMAX PERSONAL CARE PVT. LTD.

APPELLANT(S)

VERSUS

TIGAKSHA METALLICS PVT. LTD. & ANR.

RESPONDENT(S)

WITH

CIVIL APPEAL NO.3293 of 2018

(Arising out of SLP(C) No.8015 of 2018
@ Diary No.10811 of 2018)

O R D E R

Permission to file special leave petition is granted.

Leave granted.

Heard learned counsel for the parties and perused the record.

The learned Single Judge, in petition under Section 9 of the Arbitration and Conciliation Act 1996, passed consent orders dated 16.02.2018 and 21.02.2018. Thereafter, order dated 05.03.2018 was passed by the learned Single Judge reiterating the said orders.

In spite of the orders being consent orders, the Division Bench has disturbed the said orders which is not justified.

Accordingly, we set aside the orders of the Division

Bench dated 13.03.2018 and 19.03.2018.

It is stated on behalf of the respondents that they have filed an application for modification which is pending before the learned Single Judge. If that is so, learned Single Judge will be at liberty to consider the same in accordance with law.

The parties may appear before the learned Single Judge for further proceedings on the date fixed.

The appeals are disposed of in above terms.

.....J.
[ADARSH KUMAR GOEL]

.....J.
[ROHINTON FALI NARIMAN]

.....J.
[UDAY UMESH LALIT]

NEW DELHI
23rd March, 2018

ITEM NO.63 + 64

COURT NO.11

SECTION IX

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 (C) No(s). 7431/2018

(Arising out of impugned final judgment and order dated 13-03-2018 in CAL No. 119/2018 passed by the High Court of Judicature at Bombay)

SUPERMAX PERSONAL CARE PVT. LTD.

Petitioner(s)

VERSUS

TIGAKSHA METALLICS PVT. LTD. & ANR.

Respondent(s)

WITH

DIARY NO.10811/2018

Date : 23-03-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. Rajendra, Adv.
Mr. Anuj Menon, Adv.
Ms. Sreevandhini Parchure, Adv.
Mr. Ratnapeed, Adv.
Mr. M.F. Philip, Adv.
Ms. Liz Mathew, AOR
Mr. Sourav Kripal, Adv.

For Respondent(s) Mr. Jishnu Saha, Sr. Adv.
Mr. Virender Ganda, Sr. Adv.
Mr. Vipul Ganda, Adv.
Mr. Santosh Giri, Adv.
Mr. Satyajit A. Desai, Adv.
Ms. Anagha S. Desai, AOR
Ms. Shreya Jain, Adv.

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

Permission to file special leave petition is granted.

Leave granted.

The appeals are disposed of in terms of the signed order.

Pending applications, if any, are also stand disposed of.

(SWETA DHYANI)
SENIOR PERSONAL ASSISTANT

(PARVEEN KUMARI PASRICHA)
BRANCH OFFICER

(Signed order is placed on the file)