

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Civil Appeal No. 3298/2017

UNION OF INDIA

Appellant(s)

VERSUS

M/S ROAD CARRYING CORPORATION A PROPRIETARY  
CONCERN REPRESENTED BY OM PRKASH GUPTA (D)  
THR. LRS.

Respondent(s)

WITH

C.A. No. 3301/2017 (XIV)

Date : 19-06-2019 These appeals were called on  
for hearing today.

CORAM :

HON'BLE MR. JUSTICE DEEPAK GUPTA  
HON'BLE MR. JUSTICE SURYA KANT  
(VACATION BENCH)For Appellant(s) Mr. Ajit Kumar Sinha, Sr. Adv.  
Mr. Vibhu Shanker Mishra, Adv.  
Mr. Sachin Sharma, Adv.  
Mr. S.S. Ray, Adv.  
Mr. Arvind Kr. Sharma, Adv.  
Mr. B. Krishna Prasad, AORFor Respondent(s) Mr. H.S. Gautam, Adv.  
Mr. R.D. Upadhyay, AORUPON hearing the counsel the Court made the following  
O R D E R

From the perusal of order dated 17.07.2012 passed by the Additional District Judge (Annexure P-6), it appears that in Civil Revision bearing No. 26/2003, the High Court of Gauhati vide order dated 23.03.2004 had directed that the Trial Court shall first decide as to whether the issue(s) should be referred to arbitration or not. This order is extremely relevant for deciding the matter.

Learned counsel for the appellant is directed to file a copy of the afore-mentioned order.

List the matter on 24.07.2019 before an appropriate regular Bench.

[ CHARANJEET KAUR ]  
A.R. -CUM-P.S.[ SAROJ KUMARI GAUR ]  
COURT MASTER