

ITEM NO.7

COURT NO.8

SECTION IX

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).3885-3887/2014
(From the judgment and order dated 17/07/2013 in CA No.46/2012 and CA
No.47/2012 and /in AA No.16/2012 of the HIGH COURT OF BOMBAY AT NAGPUR)

ACB LTD Petitioner(s)

VERSUS

MAHARASHTRA STATE POWER GEN. CO. LTD & ORS. Respondent(s)

WITH

SLP(C) NO. 3385 of 2014
(With appln.(s) for permission to file lengthy list of dates and with
prayer for interim relief and office report)

SLP(C) NO. 3890-3892 of 2014
(With office report)

SLP(C) NO. 3893-3895 of 2014
(With office report)

SLP(C) NO. 3897-3899 of 2014
(With office report)

SLP(C) NO. 3901-3902 of 2014
(With office report)

SLP(C) NO. 3903-3904 of 2014
(With office report)

SLP(C) NO. 3905-3906 of 2014
(With office report)

SLP(C) NO. 3579 of 2014
(With appln.(s) for permission to file lengthy list of dates and with
prayer for interim relief and office report)

SLP(C) NO. 3578 of 2014
(With prayer for interim relief and office report)

SLP(C) NO. 3585 of 2014
(With appln.(s) for permission to file lengthy list of dates and with
prayer for interim relief and office report)

SLP(C) NO. 3589 of 2014
(With appln.(s) for permission to file lengthy list of dates and with
prayer for interim relief and office report)

SLP(C) NO. 3595 of 2014
(With prayer for interim relief and office report)

SLP(C) NO. 3597 of 2014

(With appln.(s) for permission to file lengthy list of dates and with prayer for interim relief and office report)

SLP(C) NO. 3598 of 2014
(With prayer for interim relief and office report)

SLP(C) NO. 3907-3908 of 2014
(With office report)

SLP(C) NO. 3909-3911 of 2014
(With office report)

SLP(C) NO. 3219 of 2014
(With prayer for interim relief and office report)

Date: 11/02/2014 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR
HON'BLE MR. JUSTICE A.K. SIKRI

For Parties (s) Mr. Rohinton F. Nariman, Sr. Adv.
Mr. P.H. Parekh, Sr. Adv.
Mr. Sumit Goel, Adv.
Mr. Abhishek Vinod Deshmukh, Adv.
Mr. Kshtrashal Raj, Adv.
Mr. Ekansh Mishra, Adv.
Ms. Subramaniam Lakshmi, Adv.
Ms. Sanjana Ramchandran, Adv.
for M/s Parekh & Co.

Ms. Nandini Gore, Adv.
Ms. Aditi Bhatt, Adv.
Ms. Neha Khandelwal, Adv.
Mrs. Manik Karanjawala, Adv.
for M/s Karanjawala & Co.

Mr. Vibha Datta Makhija, Sr. Adv.
Mr. Rakesh Rathod, Adv.
Mr. Abhinav Mukerji, Adv.
Ms. Archi Agnihotri, Adv.

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

We are not able to accept the submissions of Mr. Rohinton F. Nariman, learned Senior Counsel appearing for the petitioners in Special Leave Petition (Civil) Nos. 3885-3887 of 2014 and other connected special leave petitions, that the application for amendment of the Arbitration Petition could have been allowed either by the High Court or it can now be allowed by this Court even at this stage. The submission is rejected.

Mr. Nariman has also submitted that even if the amendment of the Section 9 application is not permitted, this Court can certainly permit the petitioner(s) to take additional grounds in the appeal(s) before the High Court. In our opinion, that submission shall have to be considered at the time the present special leave petitions are finally decided. In the case, the petitions are to be dismissed, there would be no necessity of

taking a decision on the matter.

List the matters for final disposal on 15th April, 2014 at 10.30 a.m. as item No.1.

In the meantime, interim order to continue.

| (VINOD LAKHINA)
| COURT MASTER

| | (INDU BALA KAPUR)
| | COURT MASTER

|