

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

Petitions for Special Leave to Appeal (C) Nos. 2309-2310/2022

(Arising out of impugned final judgment and order dated 13-01-2022 in ARBP No. 1247/2021 and 25-01-2022 in IA No. 1342/2022 in ARBP No. 1247/2021 passed by the High Court of Delhi at New Delhi)

BHARAT COKING COAL LIMITED

Petitioner(s)

VERSUS

AMR-BBB CONSORTIUM

Respondent(s)

(FOR ADMISSION and I.R. and IA No.21401/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.21403/2022-PERMISSION TO FILE LENGTHY LIST OF DATES and IA No.21402/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES )

Date : 25-02-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE A.S. BOPANNA  
HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Mr. Tushar Mehta, SGI  
Mr. Dipesh Sinha, Adv.  
Ms. Pallavi Barua, Adv.  
Mr. Amit Sharma, AOR

For Respondent(s) Mr. Mukul Rohatgi, Sr. Adv.  
Ms. Kaveeta Wadia, AOR  
Mr. Keshav Sehgal, Adv.  
Mr. Kumar Gaurav, Adv.  
Ms. Mamata Choudhary, Adv.

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

Having heard Mr. Tushar Mehta, learned Solicitor General appearing of behalf of the petitioner, Mr. Mukul Rohatgi, learned senior counsel appearing on behalf of the respondent and keeping in view the facts and circumstances of the instant case, the sole arbitrator already appointed in this case shall be retained and a

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Tribunal consisting of three learned Arbitrators including a Technical Member shall be formed, as agreed upon by learned senior counsel for the parties.

Accordingly, in addition to Hon'ble Mr. Justice T.S.Thakur, former CJI who shall act as the Presiding Arbitrator and Hon'ble Mr.Justice Kurian Joseph, former Judge of the Supreme Court who shall be a Member of the Tribunal, there shall be one Technical Member as a part of the Arbitral Tribunal. In order to enable the learned Arbitrators to include a Technical Member in the Arbitral Tribunal, learned senior counsel on both sides shall furnish a list consisting of five names each. Learned Presiding Arbitrator and the learned Arbitrator named above, shall on mutual agreement, select a Technical Member from amongst the said names or as per their discretion, to be the Third Arbitrator on the Arbitral Tribunal.

Parties agree that the arbitration shall be conducted by the International Arbitration and Mediation Centre (IAMC), Hyderabad and the proceedings shall be governed by the Rules of the IAMC. The fee shall be borne equally by the parties.

In view of the above, the Special Leave Petitions stand disposed of alongwith pending application(s).

(RAJNI MUKHI)  
COURT MASTER (SH)

(R.S. NARAYANAN)  
COURT MASTER (NSH)