

ITEM NO.19

COURT NO.2

SECTION IV-A

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 (C) No(s). 5255/2023

(Arising out of impugned final judgment and order dated 02-12-2022 in COMAP No. 57/2022 passed by the High Court Of Karnataka At Bengaluru)

**MONITORING COMMITTEE CONSTITUTED BY THE HONBLE
 SUPREME COURT OF INDIA**

Petitioner(s)

VERSUS

M/S R B SETH SHREERAM NARSINGDAS

Respondent(s)

(FOR ADMISSION and I.R.)

Date : 27-03-2023 This petition was called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
 HON'BLE MR. JUSTICE ARAVIND KUMAR**

For Petitioner(s) Mr. A.K. Ganguli, Sr. Adv.
 Mr. T. V. Ratnam, AOR
 Mr. T V Ratnam, Adv.
 Mr. Ricab Chand, Adv.

For Respondent(s)

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

On hearing learned senior counsel for the petitioner we may note that even though there may be a procedural defect in the matter of appointing the Arbitrator, the respondent as claimant has filed the claim before that very Arbitrator, which resulted in award and objections to the award being dismissed. It

is at the appeal stage that the initial issue is sought to be adjudicated by observing that the appointment of the Arbitrator being done by the respondent and the original Section 11(6) petition being disposed of as infructuous was not a correct approach.

Issue notice.

Learned counsel for the petitioner is permitted to replace the page.

[CHARANJEET KAUR]
ASTT. REGISTRAR - cum - PS

[POONAM VAID]
COURT MASTER (NSH)