

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). 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 : 05-12-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE SUDHANSHU DHULIA

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

For Respondent(s) Mr. C. Aryama Sundaram, Sr. Adv.
Mr. Krishnan Venugopal, Sr. Adv.
M/S. Lawyer S. Knit & Co, AOR
Mr. S. Udaya Kumar Sagar, Adv.
Ms. Bina Madhavan, Adv.
Mr. L. M. Chidanandayya, Adv.
Mr. Lakshay Saini, Adv.
Mr. Amith Chidanandayya, Adv.

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

We have heard learned counsel for the parties at some length.

Some developments have been brought to our notice which took place post the impugned judgment. It appears at the request of the respondent, the CEC did some discussions on appointing a new

Arbitrator. In those proceedings, the petitioner suggested the name of Hon'ble Deepak Gupta, J. (Retd.), former Judge of this Court.

It appears that respondent preferred somebody locally and thus Hon'ble Abdul Nazeer, J. (Retd.), former Judge of this Court, was considered as the Arbitrator but in view of his assuming the office as the Governor, it could not proceed further.

On some suggestions from the Court, it is agreed as under:-

(a) Hon'ble Deepak Gupta, J. (Retd.) be appointed as the sole Arbitrator in pursuance to the earlier award being set aside.

(b) In order to save time and the proceedings already having transpired before the earlier Arbitral Tribunal of Justice Anil Kumar, the complete records of those arbitral proceedings will stand transferred to Hon'ble Deepak Gupta, J. (Retd.) and he may hold proceedings on the basis of the record, testimonies and other material already on record.

The special leave petition stands disposed of in the aforesaid terms.

Needless to say, any comment on the merits of the controversy by the learned Arbitrator or by the Court below would not, in any way, effect the view to be taken by the learned Arbitrator now so appointed.

(RASHMI DHYANI PANT)
COURT MASTER

(POONAM VAID)
COURT MASTER